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**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.

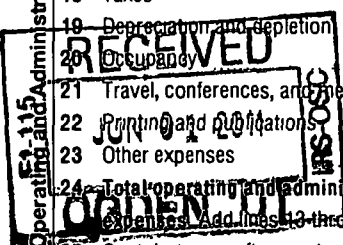
For calendar year **2010**, or tax year beginning \_\_\_\_\_, and ending \_\_\_\_\_

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 <b>JAMES AVERY CHARITABLE FOUNDATION ATTN: CHRIS AVERY</b>		A Employer identification number <b>74-2627241</b>
Number and street (or P O box number if mail is not delivered to street address) <b>PO BOX 291367</b>	Room/suite	B Telephone number <b>(830) 895-1122</b>
City or town, state, and ZIP code <b>KERRVILLE, TX 78029-1367</b>		C If exemption application is pending, check here <input type="checkbox"/>
H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ <b>1,061,496.</b>	J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
		F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>

Part I Analysis of Revenue and Expenses <small>(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a))</small>		(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	300,000.		N/A	
	2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch. B				
	3 Interest on savings and temporary cash investments	140.	140.		STATEMENT 1
	4 Dividends and interest from securities	32,721.	32,721.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	4,347.			
	b Gross sales price for all assets on line 6a	559,904.			
	7 Capital gain net income (from Part IV, line 2)		4,347.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit or (loss)					
11 Other income	-3,278.	-3,278.		STATEMENT 3	
12 Total. Add lines 1 through 11	333,930.	33,930.			
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees <b>STMT 4</b>	4,338.	0.		0.
	c Other professional fees				
	17 Interest				
	18 Taxes <b>STMT 5</b>	878.	0.		0.
	19 Depreciation and depletion				
	20 Occupancy				
21 Travel, conferences, and meetings					
22 Printing and publications					
23 Other expenses <b>STMT 6</b>	6,022.	0.		0.	
24 Total operating and administrative expenses. Add lines 13 through 23	11,238.	0.		0.	
25 Contributions, gifts, grants paid	197,400.			197,400.	
26 Total expenses and disbursements. Add lines 24 and 25	208,638.	0.		197,400.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	125,292.				
b Net investment income (if negative, enter -0-)		33,930.			
c Adjusted net income (if negative, enter -0-)			N/A		

SCANNED JUN 07 2011



**JAMES AVERY CHARITABLE FOUNDATION**  
**ATTN: CHRIS AVERY**

<b>Part II Balance Sheets</b>		Attached schedules and amounts in the description column should be for end-of-year amounts only		
		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
<b>Assets</b>	1 Cash - non-interest-bearing	95,928.	178,169.	178,169.
	2 Savings and temporary cash investments	775,321.	818,372.	883,327.
	3 Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less: allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less: allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U.S. and state government obligations			
	b Investments - corporate stock			
	c Investments - corporate bonds			
11 Investments - land, buildings, and equipment basis ▶				
Less: accumulated depreciation ▶				
12 Investments - mortgage loans				
13 Investments - other				
14 Land, buildings, and equipment: basis ▶				
Less: accumulated depreciation ▶				
15 Other assets (describe ▶ _____)				
<b>16 Total assets (to be completed by all filers)</b>	<b>871,249.</b>	<b>996,541.</b>	<b>1,061,496.</b>	
<b>Liabilities</b>	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶ _____)			
<b>23 Total liabilities (add lines 17 through 22)</b>	<b>0.</b>	<b>0.</b>		
<b>Net Assets or Fund Balances</b>	<b>Foundations that follow SFAS 117, check here</b> ▶ <input type="checkbox"/> <b>and complete lines 24 through 26 and lines 30 and 31.</b>			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	<b>Foundations that do not follow SFAS 117, check here</b> ▶ <input checked="" type="checkbox"/> <b>and complete lines 27 through 31.</b>			
	27 Capital stock, trust principal, or current funds	871,249.	871,249.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
29 Retained earnings, accumulated income, endowment, or other funds	0.	125,292.		
<b>30 Total net assets or fund balances</b>	<b>871,249.</b>	<b>996,541.</b>		
<b>31 Total liabilities and net assets/fund balances</b>	<b>871,249.</b>	<b>996,541.</b>		

**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	871,249.
2 Enter amount from Part I, line 27a	2	125,292.
3 Other increases not included in line 2 (itemize) ▶ _____	3	0.
4 Add lines 1, 2, and 3	4	996,541.
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	996,541.

**JAMES AVERY CHARITABLE FOUNDATION**

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**Part IV Capital Gains and Losses for Tax on Investment Income**

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a			
<b>b 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			
b			
c			
d			
<b>e 559,904.</b>		<b>555,557.</b>	<b>4,347.</b>

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			
b			
c			
d			
e			<b>4,347.</b>

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	<b>4,347.</b>
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8		3	<b>N/A</b>

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

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

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

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

Yes  No

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2009	<b>135,000.</b>	<b>762,481.</b>	<b>.177054</b>
2008	<b>215,189.</b>	<b>914,955.</b>	<b>.235191</b>
2007	<b>253,548.</b>	<b>1,063,083.</b>	<b>.238503</b>
2006	<b>199,299.</b>	<b>1,145,321.</b>	<b>.174011</b>
2005	<b>208,321.</b>	<b>1,193,000.</b>	<b>.174619</b>

2 Total of line 1, column (d)	2	<b>.999378</b>
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	<b>.199876</b>
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	<b>1,375,854.</b>
5 Multiply line 4 by line 3	5	<b>275,000.</b>
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	<b>339.</b>
7 Add lines 5 and 6	7	<b>275,339.</b>
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.	8	<b>197,400.</b>

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

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b	1	679.
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	679.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	4	0.
5	<b>Tax based on investment income.</b> Subtract line 4 from line 3. If zero or less, enter -0-	5	679.
6	Credits/Payments:		
a	2010 estimated tax payments and 2009 overpayment credited to 2010	6a	
b	Exempt foreign organizations - tax withheld at source	6b	
c	Tax paid with application for extension of time to file (Form 8868)	6c	
d	Backup withholding erroneously withheld	6d	
7	Total credits and payments. Add lines 6a through 6d	7	0.
8	Enter any <b>penalty</b> for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	8	11.
9	<b>Tax due.</b> If the total of lines 5 and 8 is more than line 7, enter <b>amount owed</b>	9	690.
10	<b>Overpayment.</b> If line 7 is more than the total of lines 5 and 8, enter the <b>amount overpaid</b>	10	
11	Enter the amount of line 10 to be: <b>Credited to 2011 estimated tax</b> <input type="checkbox"/> <b>Refunded</b> <input type="checkbox"/>	11	

**Part VII-A Statements Regarding Activities**

	Yes	No
1a		X
1b		X
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.		
1c		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. <input type="checkbox"/> \$ 0. (2) On foundation managers. <input type="checkbox"/> \$ 0.		
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. <input type="checkbox"/> \$ 0.	
2		X
If "Yes," attach a detailed description of the activities.		
3		X
Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		
4a		X
4b		X
N/A		
5		X
If "Yes," attach the statement required by General Instruction T.		
6	X	
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?		
7	X	
If "Yes," complete Part II, col. (c), and Part XV.		
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) <input type="checkbox"/> <u>TX</u>	
8b	X	
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		
9		X
Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV)? If "Yes," complete Part XIV		
10	X	
Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		

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**Part VII-A Statements Regarding Activities** (continued)

<p>11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)</p>	11		X
<p>12 Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?</p>	12		X
<p>13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application?                  Website address ► <u>WWW.GUIDESTAR.ORG</u></p>	13	X	
<p>14 The books are in care of ► <u>CHRISTOPHER MATTHEW AVERY</u> Telephone no. ► <u>830-895-1122</u>                  Located at ► <u>P.O. BOX 291367, KERRVILLE, TX</u> ZIP+4 ► <u>78029-1367</u></p>			
<p>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</p>	15	N/A	
<p>16 At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?                  See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country ►</p>	16	Yes	No X

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

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

		Yes	No
<p>1a During the year did the foundation (either directly or indirectly):</p> <p>(1) Engage in the sale or exchange, or leasing of property with a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(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</p> <p>(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(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</p> <p>(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</p>			
<p>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</p>	1b	N/A	
<p>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?</p>	1c		X
<p>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)):</p> <p>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 ► _____, _____, _____</p> <p>b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here.                  ► _____, _____, _____</p>	2b	N/A	
<p>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</p> <p>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.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	3b	N/A	
<p>4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?</p>	4a		X
<p>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?</p>	4b		X

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

5a During the year did the foundation pay or incur any amount to:

- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?  Yes  No
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?  Yes  No
- (3) Provide a grant to an individual for travel, study, or other similar purposes?  Yes  No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?  Yes  No
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?  Yes  No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?  Yes  No  
 Organizations relying on a current notice regarding disaster assistance check here  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?  Yes  No  
 If "Yes," attach the statement required by Regulations section 53.4945-5(d). N/A

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?  Yes  No  
 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?  Yes  No

5b		
6b		X
7b		

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

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
DR. CHRISTOPHER M. AVERY P.O. BOX 291367 KERRVILLE, TX 78029-1367	TRUSTEE 1.00	0.	0.	0.
HOMER JAMES AVERY P.O. BOX 291367 KERRVILLE, TX 78029-1367	DIST. COMM 0.50	0.	0.	0.
JUANA ESTELLA HOLLIN-AVERY P.O. BOX 291367 KERRVILLE, TX 78029-1367	DIST. COMM 0.50	0.	0.	0.

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

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

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

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

**3** Five highest-paid independent contractors for professional services. 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 <b>N/A</b>	
2	
3	
4	

**Part IX-B** Summary of Program-Related Investments

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.	Amount
1 <b>NONE</b>	
2	<b>0.</b>
3 All other program-related investments. See instructions.	
<b>Total. Add lines 1 through 3</b> <span style="float: right;">▶</span>	<b>0.</b>

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

<b>1</b>	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
<b>a</b>	Average monthly fair market value of securities	<b>1a</b>	1,324,673.
<b>b</b>	Average of monthly cash balances	<b>1b</b>	72,133.
<b>c</b>	Fair market value of all other assets	<b>1c</b>	
<b>d</b>	<b>Total</b> (add lines 1a, b, and c)	<b>1d</b>	1,396,806.
<b>e</b>	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	0.
<b>2</b>	Acquisition indebtedness applicable to line 1 assets	<b>2</b>	0.
<b>3</b>	Subtract line 2 from line 1d	<b>3</b>	1,396,806.
<b>4</b>	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	<b>4</b>	20,952.
<b>5</b>	<b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	<b>5</b>	1,375,854.
<b>6</b>	<b>Minimum investment return.</b> Enter 5% of line 5	<b>6</b>	68,793.

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

<b>1</b>	Minimum investment return from Part X, line 6	<b>1</b>	68,793.
<b>2a</b>	Tax on investment income for 2010 from Part VI, line 5	<b>2a</b>	679.
<b>b</b>	Income tax for 2010. (This does not include the tax from Part VI.)	<b>2b</b>	
<b>c</b>	Add lines 2a and 2b	<b>2c</b>	679.
<b>3</b>	Distributable amount before adjustments. Subtract line 2c from line 1	<b>3</b>	68,114.
<b>4</b>	Recoveries of amounts treated as qualifying distributions	<b>4</b>	0.
<b>5</b>	Add lines 3 and 4	<b>5</b>	68,114.
<b>6</b>	Deduction from distributable amount (see instructions)	<b>6</b>	0.
<b>7</b>	<b>Distributable amount as adjusted.</b> Subtract line 6 from line 5. Enter here and on Part XIII, line 1	<b>7</b>	68,114.

**Part XII Qualifying Distributions** (see instructions)

<b>1</b>	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
<b>a</b>	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	<b>1a</b>	197,400.
<b>b</b>	Program-related investments - total from Part IX-B	<b>1b</b>	0.
<b>2</b>	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	<b>2</b>	
<b>3</b>	Amounts set aside for specific charitable projects that satisfy the:		
<b>a</b>	Suitability test (prior IRS approval required)	<b>3a</b>	
<b>b</b>	Cash distribution test (attach the required schedule)	<b>3b</b>	
<b>4</b>	<b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	197,400.
<b>5</b>	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	<b>5</b>	0.
<b>6</b>	<b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4	<b>6</b>	197,400.

**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.

**JAMES AVERY CHARITABLE FOUNDATION**  
**ATTN: CHRIS AVERY**

**Part XIII Undistributed Income** (see instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				68,114.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only			0.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2010:				
a From 2005	152,029.			
b From 2006	143,435.			
c From 2007	202,298.			
d From 2008	169,663.			
e From 2009	97,272.			
f Total of lines 3a through e	764,697.			
4 Qualifying distributions for 2010 from Part XII, line 4: ▶ \$ 197,400.				
a Applied to 2009, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2010 distributable amount				68,114.
e Remaining amount distributed out of corpus	129,286.			
5 Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a))				0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	893,983.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2009. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2010. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2011				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7	152,029.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	741,954.			
10 Analysis of line 9:				
a Excess from 2006	143,435.			
b Excess from 2007	202,298.			
c Excess from 2008	169,663.			
d Excess from 2009	97,272.			
e Excess from 2010	129,286.			

**JAMES AVERY CHARITABLE FOUNDATION**

**Part XIV Private Operating Foundations** (see instructions and Part VII-A, question 9) N/A

- 1 a 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 foundation is a private operating foundation described in section  4942(j)(3) or  4942(j)(5)

	Tax year				(e) Total
	(a) 2010	(b) 2009	(c) 2008	(d) 2007	
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c 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					
e Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon:					
a "Assets" alternative test - enter:					
(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					
c "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					

**Part XV Supplementary Information (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year-see 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).)

**NONE**

- 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.

**NONE**

- 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 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	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
Name and address (home or business)				
<p>a <i>Paid during the year</i></p> <p><b>SEE STATEMENT 7</b></p>				
<p><b>Total</b> <span style="float: right;">▶ 3a</span></p>				<p><b>197,400.</b></p>
<p>b <i>Approved for future payment</i></p> <p><b>NONE</b></p>				
<p><b>Total</b> <span style="float: right;">▶ 3b</span></p>				<p><b>0.</b></p>





<b>Part IV</b> 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 SCHEDULE #6046	P	VARIOUS	VARIOUS
b SEE ATTACHED SCHEDULE #6046	P	VARIOUS	VARIOUS
c SEE ATTACHED SCHEDULE #7520	P	VARIOUS	VARIOUS
d SEE ATTACHED SCHEDULE #7520	P	VARIOUS	VARIOUS
e SEE ATTACHED SCHEDULE #5386	P	VARIOUS	VARIOUS
f SEE ATTACHED SCHEDULE #7619	P	VARIOUS	VARIOUS
g PARTNERSHIP INCOME	P		
h CAPITAL GAINS DIVIDENDS			
i			
j			
k			
l			
m			
n			
o			

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a 32,968.		32,084.	884.
b 105,047.		139,913.	-34,866.
c 159,384.		136,589.	22,795.
d 156,980.		144,241.	12,739.
e 74,243.		70,764.	3,479.
f 31,260.		30,887.	373.
g		1,079.	-1,079.
h 22.			22.
i			
j			
k			
l			
m			
n			
o			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Losses (from col. (h)) Gains (excess of col. (h) gain over col. (k), but not less than "-0-")
(i) 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			884.
b			-34,866.
c			22,795.
d			12,739.
e			3,479.
f			373.
g			-1,079.
h			22.
i			
j			
k			
l			
m			
n			
o			

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter "-0-" in Part I, line 7 }	2	4,347.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter "-0-" in Part I, line 8	3	N/A



## Realized Gain/Loss

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As of Date 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRAUNDES

## Realized Gain/Loss Detail for Year

Short Term							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
ASTELLAS PHARMA UNSO ADR	15 00000	32 2865	06/07/10	06/17/10	492 89	484 30	8 59
CARREFOUR SA-UNSPON ADR	140 00000	9 0526	08/12/09	06/17/10	1,196 97	1,267 36	-70 39
	90 00000	9 1602	10/22/09	06/17/10	769 48	824 42	-54 94
	65 00000	8 8638	05/14/10	06/17/10	555 75	576 15	-20 40
<b>Subtotal</b>	<b>295 00000</b>				<b>2,522 20</b>	<b>2,667 93</b>	<b>-145 73</b>
CHESAPEAKE ENERGY CORP	25 00000	23 8833	04/16/10	06/17/10	621 50	597 08	24 42
	15 00000	23 8700	04/20/10	06/17/10	372 90	358 05	14 85
	20 00000	23 8842	04/27/10	06/17/10	497 20	477 68	19 52
	15 00000	21 7192	05/19/10	06/17/10	372 91	325 79	47 12
<b>Subtotal</b>	<b>75 00000</b>				<b>1,864 51</b>	<b>1,758 60</b>	<b>105 91</b>
CHEVRON CORPORATION	20 00000	73 9999	03/16/10	06/17/10	1,496 38	1,480 00	16 38
	5 00000	74 2503	03/23/10	06/17/10	374 10	371 25	2 85
	5 00000	74 6286	06/17/10	06/17/10	374 10	373 14	0 96
<b>Subtotal</b>	<b>30 00000</b>				<b>2,244 58</b>	<b>2,224 39</b>	<b>20 19</b>
CISCO SYSTEMS INC	30 00000	17 4165	04/23/09	03/15/10	781 11	522 50	258 61
CITIGROUP INC	150 00000	3 2400	12/18/09	06/17/10	592 49	486 00	106 49
DAIMLER AG	25 00000	43 3762	02/19/10	06/17/10	1,307 47	1,084 41	223 06
EBAY INC	85 00000	14 5384	04/14/09	03/25/10	2,356 98	1,235 76	1,121 22
ELI LILLY & CO	30 00000	33 9859	08/27/09	06/17/10	1,020 07	1,019 58	0 49
ENI S P A SPON ADR	30 00000	46 3327	06/25/09	06/17/10	1,194 96	1,389 98	-195 02
	10 00000	45 7753	08/10/09	06/17/10	398 32	457 75	-59 43
	10 00000	44 0649	02/08/10	06/17/10	398 32	440 65	-42 33
	10 00000	47 8665	03/09/10	06/17/10	398 33	478 67	-80 34

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Realized Gain/Loss

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As of Date 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Short Term	<i>Continued</i>							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
<b>Subtotal</b>	<b>10 00000</b>	<b>37 9886</b>	<b>05/28/10</b>	<b>06/17/10</b>	<b>398 33</b>	<b>379 89</b>	<b>18 44</b>	
FRANCE TELECOM SPON ADR	1 00000	0 0000	07/21/09	06/17/10	19 09	22 42	-3 33	
	20 00000	23 9054	04/14/10	06/17/10	381 83	478 11	-96 28	
	20 00000	19 1586	06/16/10	06/17/10	381 84	383 17	-1 33	
<b>Subtotal</b>	<b>41.00000</b>				<b>782 76</b>	<b>883.70</b>	<b>-100 94</b>	
FUJIFILM HLDGS CORP ADR 2 ORD	15 00000	27 8823	11/19/09	06/17/10	438 75	418 23	20 52	
INTESA SANPAOLO SPON ADR	25 00000	22 6958	03/31/10	06/17/10	424 99	567 40	-142 41	
J SAINSBURY PLC ADR (NEW)	25 00000	20 7310	12/17/09	06/17/10	481 74	518 28	-36 54	
KROGER COMPANY COMMON	40 00000	20 5655	09/25/09	06/17/10	831 32	822 62	8 70	
	30 00000	20 0561	12/08/09	06/17/10	623 50	601 68	21 82	
<b>Subtotal</b>	<b>70 00000</b>				<b>1,454.82</b>	<b>1,424 30</b>	<b>30 52</b>	
LOWES COMPANIES INC	15 00000	18 4699	06/25/09	06/17/10	337 50	277 05	60 45	
	20 00000	19 7469	10/28/09	06/17/10	450 00	394 94	55 06	
<b>Subtotal</b>	<b>35 00000</b>				<b>787 50</b>	<b>671 99</b>	<b>115 51</b>	
MARSH AND MC LENNAN COMPANIES INC	15 00000	18 7100	07/10/09	06/17/10	346 08	280 65	65 43	
	25 00000	21 8623	01/13/10	06/17/10	576 82	546 56	30 26	
	25 00000	21 8623	01/13/10	06/17/10	576 82	546 56	30 26	
<b>Subtotal</b>	<b>65.00000</b>				<b>1,499 72</b>	<b>1,373 77</b>	<b>125 95</b>	
NISSAN MTR LTD SPONS ADR	65 00000	15 0491	05/24/10	06/17/10	978 23	978 19	0 04	
PFIZER INCORPORATED	29 00000	17 5150	10/16/09	06/17/10	443 50	507 93	-64 43	
SONY CORP ADR NEW	30 00000	28 2197	08/06/09	06/17/10	850 01	846 59	3 42	

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As of Date. 2/11/11



Realized Gain/Loss

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Short Term <i>Continued</i>		QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
DESCRIPTION								
SUNTRUST BANKS INC		20 00000	20 9295	11/12/09	06/17/10	524 27	418 59	105 68
SWISS REINS CO SPONSORED ADR		25 00000	46 3844	01/20/10	06/17/10	1,096 48	1,159 61	-63 13
		15 00000	42 4786	05/04/10	06/17/10	657 89	637 18	20 71
<b>Subtotal</b>		<b>40 00000</b>				<b>1,754 37</b>	<b>1,796 79</b>	<b>-42 42</b>
TOTAL S A SPONS ADR		40 00000	57 9070	03/31/10	06/17/10	1,994 44	2,316 28	-321 84
		10 00000	57 4649	04/22/10	06/17/10	498 61	574 65	-76 04
<b>Subtotal</b>		<b>50 00000</b>				<b>2,493 05</b>	<b>2,890 93</b>	<b>-397 88</b>
TOYOTA MTR CORP ADR NEW 3/82		25 00000	79 0772	11/16/09	06/17/10	1,808 48	1,976 93	-168 45
VALERO ENERGY CORP NEW (VALERO REFNG & MKTING)		20 00000	17 9993	07/31/09	06/17/10	358 47	359 99	-1 52
		25 00000	18 1451	08/12/09	06/17/10	448 09	453 63	-5 54
		20 00000	16 6653	11/19/09	06/17/10	358 48	333 31	25 17
<b>Subtotal</b>		<b>65 00000</b>				<b>1,165 04</b>	<b>1,146 93</b>	<b>18 11</b>
WELLS FARGO COMPANY		20 00000	23 5000	07/02/09	06/17/10	554 87	470 00	84 87
		20 00000	28 1500	11/10/09	06/17/10	554 88	563 00	-8 12
<b>Subtotal</b>		<b>40 00000</b>				<b>1,109 75</b>	<b>1,033 00</b>	<b>76 75</b>
<b>Total - Short Term</b>						<b>\$32,967.54</b>	<b>\$32,083.96</b>	<b>\$883.58</b>

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**Realized Gain/Loss**

As of Date: 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
AEGON N V ORD AMER REG	135 00000	11 2686	09/10/04	06/17/10	826 36	1,521 26	-694 90
	3 00000	12 8700	05/23/05	06/17/10	18 36	37 07	-18 71
	2 00000	14 1100	09/26/05	06/17/10	12 24	27 41	-15 17
	2 00000	18 1000	09/17/07	06/17/10	12 24	38 49	-26 25
	4 00000	0 0000	05/23/08	06/17/10	24 48	60 28	-35 80
	40 00000	12 0316	07/25/08	06/17/10	244 86	481 26	-236 40
	6 00000	0 0000	09/16/08	06/17/10	36 73	60 18	-23 45
<b>Subtotal</b>	<b>192 00000</b>				<b>1,175 27</b>	<b>2,225 95</b>	<b>-1,050 68</b>
AKZO NOBEL N V ADR	25 00000	36 8244	03/31/04	06/17/10	1,377 47	920 60	456 87
	10 00000	59 4175	09/08/08	06/17/10	550 99	594 18	-43 19
<b>Subtotal</b>	<b>35 00000</b>				<b>1,928 46</b>	<b>1,514 78</b>	<b>413 68</b>
ALCATEL LUCENT ADR	250 00000	4 8113	07/26/02	06/17/10	697 51	1,202 82	-505 31
	80 00000	13 5518	03/09/05	06/17/10	223 20	1,084 14	-860 94
	45 00000	10 7787	05/11/05	06/17/10	125 55	485 04	-359 49
	24 35622	14 4860	05/31/05	06/17/10	67 95	352 18	-284 23
	102 29613	14 6533	08/05/05	06/17/10	285 41	1,496 29	-1,210 88
	66 24892	15 1619	11/23/05	06/17/10	184 84	1,002 65	-817 81
	34 09873	14 4726	03/22/06	06/17/10	95 15	492 61	-397 46
<b>Subtotal</b>	<b>602 00000</b>				<b>1,679 61</b>	<b>6,115 73</b>	<b>-4,436 12</b>
AMERICAN EXPRESS COMPANY	30 00000	19 9377	04/16/09	06/17/10	1,253 67	598 13	655 54
ASTRAZENECA PLC SPON ADR	10 00000	54 1383	07/06/07	06/17/10	456 51	541 38	-84 87
AT & T INC	52 00000	20 1495	11/16/05	06/17/10	1,318 89	1,041 95	276 94
	30 00000	29 0967	09/17/08	06/17/10	760 90	872 90	-112 00

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As of Date 2/11/11

Realized Gain/Loss



Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

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Long Term	<i>Continued</i>							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
<b>Subtotal</b>	<b>82.00000</b>				<b>2,079.79</b>	<b>1,914.85</b>	<b>164.94</b>	
BANK OF AMERICA CORP	3 00000	106 4731	08/28/07	06/17/10	47 23	319 41	-272 18	
	21 60000	103 9813	09/28/07	06/17/10	340 05	2,246 00	-1,905 95	
	5 40000	98 5729	10/17/07	06/17/10	85 01	532 29	-447 28	
	45 00000	34 0929	05/23/08	06/17/10	708 46	1,534 18	-825 72	
	60 00000	22 3151	07/03/08	06/17/10	944 62	1,338 91	-394 29	
<b>Subtotal</b>	<b>135 00000</b>				<b>2,125.37</b>	<b>5,970.79</b>	<b>-3,845.42</b>	
BB&T CORP	20 00000	27 9563	08/27/08	06/17/10	593 38	559 13	34 25	
BOSTON SCIENTIFIC CORP	5 00000	15 7919	10/26/06	06/17/10	29 96	78 95	-48 99	
	30 00000	16 0046	11/01/06	06/17/10	179 78	480 14	-300 36	
	90 00000	16 1458	11/09/06	06/17/10	539 36	1,453 12	-913 76	
	35 00000	14 8246	03/16/07	06/17/10	209 75	518 86	-309 11	
	30 00000	15 8697	04/26/07	06/17/10	179 80	476 09	-296 29	
<b>Subtotal</b>	<b>190 00000</b>				<b>1,138.65</b>	<b>3,007.16</b>	<b>-1,868.51</b>	
BRISTOL MYERS SQUIBB CO	25 00000	21 8171	11/16/05	03/25/10	669 13	545 43	123 70	
	5 00000	21 8171	11/16/05	06/17/10	129 21	109 08	20 13	
	75 00000	21 6811	12/09/05	06/17/10	1,938 25	1,626 08	312 17	
<b>Subtotal</b>	<b>105.00000</b>				<b>2,736.59</b>	<b>2,280.59</b>	<b>456.00</b>	
CANON INC ADR REP 5SHS	15 00000	37 1383	10/03/08	06/17/10	627 84	557 07	70 77	
	15 00000	33 2402	11/11/08	06/17/10	627 84	498 60	129 24	
	20 00000	30 8710	04/07/09	06/17/10	837 12	617 42	219 70	
<b>Subtotal</b>	<b>50.00000</b>				<b>2,092.80</b>	<b>1,673.09</b>	<b>419.71</b>	
CENTRAIS ELEC BRAZ COM ELBRAS ON SPON ADR SHRS	30 00000	3 7000	07/26/02	01/11/10	668 27	111 00	557 27	

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**Realized Gain/Loss**

As of Date 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
<i>Continued</i>							
<b>Subtotal</b>	<b>125 00000</b>	<b>3 7000</b>	<b>07/26/02</b>	<b>06/17/10</b>	<b>1,721 47</b>	<b>462 50</b>	<b>1,258 97</b>
<b>Subtotal</b>	<b>155.00000</b>				<b>2,389 74</b>	<b>573.50</b>	<b>1,816 24</b>
CISCO SYSTEMS INC	30 00000	14 7827	03/06/09	03/15/10	781 11	443 48	337 63
CITIGROUP INC	255 00000	2 0061	03/30/09	06/17/10	1,007 23	511 56	495 67
DELL INC	15 00000	24 0099	02/14/07	06/17/10	213 05	360 14	-147 09
	50 00000	22 2749	03/14/07	06/17/10	710 19	1,113 75	-403 56
	25 00000	21 1490	01/17/08	06/17/10	355 09	528 73	-173 64
	25 00000	18 7589	04/09/08	06/17/10	355 10	468 97	-113 87
<b>Subtotal</b>	<b>115.00000</b>				<b>1,633 43</b>	<b>2,471 59</b>	<b>-838 16</b>
DEUTSCHE TELEKOM AG SPON ADR	95 00000	11 8300	05/06/02	06/17/10	1,133 64	1,123 85	9 79
	30 00000	17 4399	06/10/04	06/17/10	357 99	523 20	-165 21
	105 00000	14 4043	09/06/06	06/17/10	1,252 99	1,512 45	-259 46
	30 00000	17 8045	02/12/07	06/17/10	358 00	534 14	-176 14
<b>Subtotal</b>	<b>260 00000</b>				<b>3,102 62</b>	<b>3,693 64</b>	<b>-591 02</b>
DOW CHEMICAL COMPANY	25 00000	40 0000	01/03/07	06/17/10	659 58	1,000 00	-340 42
	15 00000	32 9493	08/01/08	06/17/10	395 75	494 24	-98 49
	70 00000	13 8360	01/23/09	06/17/10	1,846 84	968 52	878 32
<b>Subtotal</b>	<b>110 00000</b>				<b>2,902 17</b>	<b>2,462 76</b>	<b>439.41</b>
ERICSSON (LM) TEL-SP ADR NEW	75 00000	14 8129	10/24/07	06/15/10	818 40	1,110 98	-292 58
	75 00000	14 8129	10/24/07	06/17/10	850 48	1,110 96	-260 48
	100 00000	10 5017	08/21/08	06/17/10	1,133 98	1,050 17	83 81
<b>Subtotal</b>	<b>250.00000</b>				<b>2,802.86</b>	<b>3,272 11</b>	<b>-469.25</b>
FIFTH THIRD BANCORP	65 00000	39 0628	01/29/07	06/15/10	890 35	2,539 09	-1,648 74

INFORMATION PROVIDED AS COURTESY ONLY - NOT FURNISHED TO THE IRS



As of Date 2/11/11



## Realized Gain/Loss

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRADES

Long Term	Continued							
DESCRIPTION		QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
		10 00000	39 0628	01/29/07	06/17/10	136 01	390 62	-254 61
		30 00000	40 9136	02/13/07	06/17/10	408 05	1,227 41	-819 36
		30 00000	17 6729	06/05/08	06/17/10	408 06	530 19	-122 13
	<b>Subtotal</b>	<b>135 00000</b>				<b>1,842 47</b>	<b>4,687 31</b>	<b>-2,844 84</b>
FRANCE TELECOM SPON ADR		45 00000	24 5237	06/14/04	06/17/10	859 11	1,103 55	-244 44
		50 00000	21 7969	09/11/06	06/17/10	954 57	1,089 85	-135 28
	<b>Subtotal</b>	<b>95 00000</b>				<b>1,813 68</b>	<b>2,193 40</b>	<b>-379 72</b>
FUJIFILM HLDGS CORP ADR 2 ORD		15 00000	32 6510	04/27/05	06/17/10	438 74	489 76	-51 02
		15 00000	31 9223	11/02/05	06/17/10	438 74	478 83	-40 09
		15 00000	30 8162	08/21/08	06/17/10	438 74	462 24	-23 50
	<b>Subtotal</b>	<b>45 00000</b>				<b>1,316 22</b>	<b>1,430 83</b>	<b>-114 61</b>
GENERAL ELECTRIC COMPANY		20 00000	22 1000	10/02/08	06/17/10	316 05	442 00	-125 95
		45 00000	11 7246	04/15/09	06/17/10	711 13	527 61	183 52
	<b>Subtotal</b>	<b>65 00000</b>				<b>1,027 18</b>	<b>969 61</b>	<b>57 57</b>
GLAXOSMITHKLINE PLC-ADR		25 00000	53 6366	12/01/06	06/17/10	900 31	1,340 91	-440 60
		20 00000	52 9437	01/11/07	06/17/10	720 26	1,058 87	-338 61
		20 00000	52 2993	06/26/07	06/17/10	720 26	1,045 99	-325 73
	<b>Subtotal</b>	<b>65 00000</b>				<b>2,340 83</b>	<b>3,445 77</b>	<b>-1,104 94</b>
HITACHI LTD ADR 10 COM		5 00000	63 3588	08/16/06	04/27/10	219 00	316 78	-97 78
		10 00000	59 5213	11/13/06	04/27/10	438 02	595 21	-157 19
	<b>Subtotal</b>	<b>15 00000</b>				<b>657 02</b>	<b>911 99</b>	<b>-254 97</b>
HOME DEPOT INC		20 00000	28 6870	12/03/07	03/05/10	636 50	573 74	62 76
		15 00000	28 6870	12/03/07	04/21/10	527 62	430 31	97 31
		5 00000	28 6870	12/03/07	04/23/10	180 23	143 43	36 80

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Realized Gain/Loss

As of Date 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term Description	Quantity	Adj Price/Orig Price	Date Acquired	Close Date	Proceeds	Adj Cost/Orig Cost	Gain/Loss
<i>Continued</i>							
	5 00000	28 7353	12/11/07	04/23/10	180 23	143 68	36 55
	40 00000	28 7353	12/11/07	05/18/10	1,442 77	1,149 41	293 36
<b>Subtotal</b>	<b>85 00000</b>				<b>2,967 35</b>	<b>2,440 57</b>	<b>526 78</b>
INTEL CORP	15 00000	19 8800	03/29/06	04/16/10	361 34	298 20	63 14
	35 00000	19 8800	03/29/06	06/17/10	750 84	695 80	55 04
	80 00000	13 6290	11/25/08	06/17/10	1,716 21	1,090 32	625 89
<b>Subtotal</b>	<b>130.00000</b>				<b>2,828 39</b>	<b>2,084.32</b>	<b>744 07</b>
J SAINSBURY PLC ADR (NEW)	40 00000	24 7343	09/11/08	06/17/10	770 78	989 37	-218 59
KEYCORP NEW	115 00000	4 9855	05/29/09	06/17/10	952 64	573 33	379 31
KONINKLIJKE AHOLD ADR	164 00000	5 5688 8 7936	11/11/05	06/17/10	2,154 92	913 29 1,442 15	1,241 63
KT CORP SP ADR	30 00000	19 0000	07/09/03	02/17/10	613 74	570 00	43 74
MARKS & SPENCER PLC ADR	30 00000	9 7790	12/15/03	06/17/10	304 49	293 37	11 12
	45 00000	10 8844	03/04/04	06/17/10	456 74	489 80	-33 06
	100 00000	10 2138	07/25/08	06/17/10	1,014 98	1,021 38	-6 40
<b>Subtotal</b>	<b>175 00000</b>				<b>1,776 21</b>	<b>1,804 55</b>	<b>-28 34</b>
MASCO CORP	50 00000	18 5836	05/07/08	06/17/10	616 68	929 18	-312 50
	50 00000	18 2800	05/21/08	06/17/10	616 69	914 00	-297 31
<b>Subtotal</b>	<b>100 00000</b>				<b>1,233 37</b>	<b>1,843 18</b>	<b>-609 81</b>
MERCK & CO INC NEW	28 00000	19 7635	09/03/08	06/17/10	995 94	537 34	458 60
MICRON TECHNOLOGY INC	65 00000	12 3057	08/02/05	01/05/10	724 13	799 86	-75 73
	25 00000	13 2590	01/24/07	01/05/10	278 52	331 48	-52 96
	15 00000	13 2590	01/24/07	01/14/10	162 72	198 88	-36 16
	80 00000	12 6084	02/14/07	01/14/10	867 86	1,008 67	-140 81

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As of Date 2/11/11



## Realized Gain/Loss

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRAUNDES

Long Term DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
<b>Subtotal</b>	<b>185 00000</b>				<b>2,033 23</b>	<b>2,338 89</b>	<b>-305 66</b>
MICROSOFT CORP	100 00000	23 2223	05/12/06	06/17/10	2,612 25	2,322 23	290 02
MITSUBISHI UFJ FINANCIAL ADR	20 00000	11 8965	02/09/07	06/17/10	92 83	237 92	-145 09
	45 00000	11 5504	04/10/07	06/17/10	208 88	519 77	-310 89
	45 00000	10 8887	04/25/07	06/17/10	208 88	489 99	-281 11
	45 00000	11 1160	07/26/07	06/17/10	208 88	500 22	-291 34
	50 00000	10 0085	08/10/07	06/17/10	232 10	500 43	-268 33
	60 00000	9 1827	09/19/07	06/17/10	278 52	550 96	-272 44
<b>Subtotal</b>	<b>265 00000</b>				<b>1,230 09</b>	<b>2,799 29</b>	<b>-1,569 20</b>
MIZUHO FINANCIAL GRP ADR	40 00000	12 4948	05/07/07	06/17/10	137 67	499 79	-362 12
	120 00000	13 1653	05/22/07	06/17/10	413 03	1,579 84	-1,166 81
	100 00000	11 0650	09/19/07	06/17/10	344 20	1,106 50	-762 30
	50 00000	10 9154	09/20/07	06/17/10	172 10	545 77	-373 67
	60 00000	8 0503	02/22/08	06/17/10	206 52	483 02	-276 50
<b>Subtotal</b>	<b>370 00000</b>				<b>1,273 52</b>	<b>4,214 92</b>	<b>-2,941 40</b>
MOTOROLA INCORPORATED	70 00000	17 1221	07/27/07	06/17/10	499 29	1,198 54	-699 25
	130 00000	7 2956	06/27/08	06/17/10	927 28	948 43	-21 15
<b>Subtotal</b>	<b>200 00000</b>				<b>1,426 57</b>	<b>2,146 97</b>	<b>-720 40</b>
MS&AD INS GROUP HLDGS	150 00000	20 1363	11/08/06	06/17/10	1,712 96	3,020 45	-1,307 49
	60 00000	19 8328	11/29/06	06/17/10	685 19	1,189 97	-504 78
<b>Subtotal</b>	<b>210 00000</b>				<b>2,398 15</b>	<b>4,210 42</b>	<b>-1,812 27</b>
NIPPON TELEGRAPH & TELEPHONE CORP SPONSORED ADR	20 00000	21 3130	02/15/05	06/17/10	404 24	426 25	-22 01
	80 00000	23 2694	05/31/07	06/17/10	1,616 99	1,861 55	-244 56

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## Realized Gain/Loss

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As of Date: 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term	Continued							
DESCRIPTION		QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
		40 00000	22 7504	06/21/07	06/17/10	808 50	910 02	-101 52
		20 00000	22 7323	10/18/07	06/17/10	404 25	454 65	-50 40
	<b>Subtotal</b>	<b>160 00000</b>				<b>3,233 98</b>	<b>3,652.47</b>	<b>-418 49</b>
NOKIA CORP SPONSORED ADR		25 00000	15 7419	10/22/08	04/01/10	394 61	393 55	1 06
		65 00000	15 7419	10/22/08	06/17/10	582 38	1,023 22	-440 84
		70 00000	15 4389	12/11/08	06/17/10	627 19	1,080 72	-453 53
	<b>Subtotal</b>	<b>160 00000</b>				<b>1,604 18</b>	<b>2,497 49</b>	<b>-893.31</b>
PFIZER INCORPORATED		70 00000	21 1261	10/26/05	06/17/10	1,070 48	1,478 82	-408 34
		75 00000	21 5269	11/02/05	06/17/10	1,146 95	1,614 52	-467 57
		50 00000	25 9456	06/21/07	06/17/10	764 63	1,297 28	-532 65
		25 00000	18 8358	07/31/08	06/17/10	382 32	470 90	-88 58
	<b>Subtotal</b>	<b>220 00000</b>				<b>3,364 38</b>	<b>4,861 52</b>	<b>-1,497 14</b>
PNC FINANCIAL SERVICES GROUP		2 23728	705 0339	09/07/07	06/17/10	138 30	1,500 42	-1,362 12
		2 23728	629 1706	11/01/07	06/17/10	138 30	1,338 98	-1,200 68
		2 79661	164 2265	04/23/08	06/17/10	172 88	436 87	-263 99
		3 72883	127 7189	06/10/08	06/17/10	230 53	453 01	-222 48
	<b>Subtotal</b>	<b>11 00000</b>				<b>680 01</b>	<b>3,729 28</b>	<b>-3,049.27</b>
PORTUGAL TELECOM SGPS-SP ADR		50 00000	11 7841	02/18/04	06/17/10	534 19	589 20	-55 01
		50 00000	11 1200	04/01/04	06/17/10	534 19	556 00	-21 81
		55 00000	9 1572	11/16/05	06/17/10	587 61	503 65	83 96
	<b>Subtotal</b>	<b>155 00000</b>				<b>1,655 99</b>	<b>1,648 85</b>	<b>7 14</b>
ROYAL BANK OF SCOTLAND ADR		0 60591	207 8048	10/19/07	04/15/10	8 60	127 80	-119 20

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As of Date 2/11/11

Realized Gain/Loss



Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term	Continued							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
	9 84605	155 5063	01/17/08	04/15/10	139 88	1,554 09	-1,414 21	
	9 54804	98 6126	05/19/08	04/15/10	135 65	960 24	-824 59	
<b>Subtotal</b>	<b>20 00000</b>				<b>284 13</b>	<b>2,642 13</b>	<b>-2,358 00</b>	
SAFEWAY INC NEW	50 00000	22 7262	01/28/04	06/17/10	1,078 18	1,136 31	-58 13	
	25 00000	22 5196	02/18/04	06/17/10	539 09	562 99	-23 90	
	25 00000	20 0500	03/24/04	06/17/10	539 09	501 25	37 84	
<b>Subtotal</b>	<b>100 00000</b>				<b>2,156 36</b>	<b>2,200 55</b>	<b>-44 19</b>	
SANOFI AVENTIS ADR	15 00000	40 6986	03/02/05	02/16/10	550 27	610 48	-60 21	
	40 00000	40 6986	03/02/05	06/17/10	1,261 71	1,627 94	-366 23	
	50 00000	42 4059	11/17/06	06/17/10	1,577 15	2,120 30	-543 15	
<b>Subtotal</b>	<b>105 00000</b>				<b>3,389 13</b>	<b>4,358 72</b>	<b>-969 59</b>	
SARA LEE CORP	30 00000	15 2208	05/15/06	04/12/10	428 38	456 63	-28 25	
	30 00000	14 7828	06/07/06	04/12/10	428 40	443 49	-15 09	
	45 00000	14 7828	06/07/06	06/14/10	674 53	665 23	9 30	
	75 00000	14 7828	06/07/06	06/17/10	1,118 22	1,108 71	9 51	
	30 00000	14 1441	08/10/06	06/17/10	447 30	424 33	22 97	
<b>Subtotal</b>	<b>210 00000</b>				<b>3,096 83</b>	<b>3,098 39</b>	<b>-1 56</b>	
SONY CORP ADR NEW	15 00000	40 7234	04/09/08	06/17/10	424 99	610 85	-185 86	
STMICROELECTRONICS N V	35 00000	14 7022	05/25/05	06/17/10	302 15	514 58	-212 43	
SHS N Y REGISTRY	90 00000	16 8179	08/19/05	06/17/10	776 96	1,513 61	-736 65	
<b>Subtotal</b>	<b>125 00000</b>				<b>1,079 11</b>	<b>2,028 19</b>	<b>-949 08</b>	
SUNTRUST BANKS INC	15 00000	31 0800	07/11/08	06/17/10	393 19	466 20	-73 01	
SUPERVALU INC	25 00000	29 2300	06/05/06	06/17/10	326 74	730 75	-404 01	

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## Realized Gain/Loss

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As of Date: 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term	Continued							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
TELECOM ITALIA SPA SPON ADR	148 00000	26 9513	07/09/03	06/17/10	1,773 33	3,988 80	-2,215 47	
	20 00000	25 2754	10/09/03	06/17/10	239 64	505 51	-265 87	
	45 00000	28 6496	09/08/06	06/17/10	539 19	1,289 23	-750 04	
	30 00000	15 9648	08/25/08	06/17/10	359 47	478 94	-119 47	
<b>Subtotal</b>	<b>243 00000</b>				<b>2,911 63</b>	<b>6,262 48</b>	<b>-3,350 85</b>	
TELEFONICA S A SPON ADR	11 00000	30 4978	01/22/03	06/17/10	659 98	316 09	343 89	
TELEFONOS DE MEXICO SA SPON ADR REPSTG SH ORD L	35 00000	8 6657	07/09/03	06/17/10	498 50	303 30	195 20	
TENET HEALTHCARE CORP	160 00000	12 7338	02/18/04	06/17/10	797 39	2,037 40	-1,240 01	
TEXAS INSTRUMENTS INC	60 00000	17 2811	11/10/08	06/17/10	1,530 79	1,036 87	493 92	
	35 00000	15 3939	12/11/08	06/17/10	892 97	538 79	354 18	
<b>Subtotal</b>	<b>95 00000</b>				<b>2,423 76</b>	<b>1,575 66</b>	<b>848 10</b>	
TOKIO MARINE HOLDING ADR	17 00000	16 2689	07/19/02	06/17/10	464 94	276 57	188 37	
	45 00000	36 0423	03/23/07	06/17/10	1,230 73	1,621 90	-391 17	
<b>Subtotal</b>	<b>62 00000</b>				<b>1,695 67</b>	<b>1,898 47</b>	<b>-202 80</b>	
UNILEVER N V ADR	55 00000	21 0960	06/14/06	06/17/10	1,592 93	1,160 28	432 65	
	20 00000	23 0358	12/10/08	06/17/10	579 26	460 72	118 54	
<b>Subtotal</b>	<b>75 00000</b>				<b>2,172 19</b>	<b>1,621 00</b>	<b>551 19</b>	
VALERO ENERGY CORP NEW (VALERO REFIN & MKTING)	25 00000	17 7791	03/31/09	06/17/10	448 08	444 48	3 60	
	25 00000	20 8001	04/23/09	06/17/10	448 08	520 00	-71 92	
	25 00000	18 5047	06/03/09	06/17/10	448 08	462 62	-14 54	
<b>Subtotal</b>	<b>75 00000</b>				<b>1,344 24</b>	<b>1,427 10</b>	<b>-82 86</b>	

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Realized Gain/Loss

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As of Date 2/11/11

Account Number 1175-6046  
 Command Account Number 9080293957  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRISTOPHER M AVERY TTEE  
 U/A 2/11/92 MASTERS/BRANDES

Long Term <i>Continued</i>								
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
VERIZON COMMUNICATIONS COM	55 00000	31 7293	07/19/02	06/17/10	1,587 82	1,745 11	-157 29	
	20 00000	29 9933	05/20/09	06/17/10	577 39	599 87	-22 48	
<b>Subtotal</b>	<b>75 00000</b>				<b>2,165 21</b>	<b>2,344 98</b>	<b>-179 77</b>	
WELLS FARGO COMPANY	7 75000	134 6750	04/23/08	06/17/10	215 01	1,015 68	-800 67	
	2 90625	154 8387	05/07/08	06/17/10	80 62	437 90	-357 28	
	7 75000	144 1852	05/13/08	06/17/10	215 01	1,087 41	-872 40	
	3 87500	129 0823	05/23/08	06/17/10	107 50	486 74	-379 24	
	2 90625	113 7801	06/04/08	06/17/10	80 62	321 78	-241 16	
	5 81250	92 8387	06/25/08	06/17/10	161 26	525 12	-363 86	
<b>Subtotal</b>	<b>31 00000</b>				<b>860 02</b>	<b>3,874 63</b>	<b>-3,014 61</b>	
XEROX CORP	5 00000	10 9300	07/09/03	06/17/10	46 81	54 65	-7 84	
	140 00000	13 9670	06/27/05	06/17/10	1,310 91	1 955 38	-644 47	
	35 00000	13 0923	07/25/05	06/17/10	327 73	458 23	-130 50	
<b>Subtotal</b>	<b>180.00000</b>				<b>1,685.45</b>	<b>2,468 26</b>	<b>-782 81</b>	
<b>Total - Long Term</b>					<b>\$105,046 87</b>	<b>\$139,912.56</b>	<b>-\$34,865 69</b>	
						<b>\$140,441 42</b>		

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Realized Gain/Loss

Amended Date: 3/04/11

Account Number 1375-7520  
 Command Account Number 9080461707  
 CHRISTOPHER M AVERY TTEE  
 JAMES AVERY CHARITABLE  
 FNDTN TR UAD 2/11/82  
 CAAP EQUITY ACCOUNT

Realized Gain/Loss Detail for Year

Short Term		QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
ENERGY SELECT SECTOR SPDR	ETF	5 00000	51 3788	01/05/09	01/04/10	292 92	256 90	36 02
FINANCIAL SELECT SECTOR SPDR	ETF	3 00000	12 5958	01/05/09	01/04/10	43 95	37 79	6 16
INDUSTRIAL SELECT SECTOR SPDR	ETF	7 00000	24 2487	01/05/09	01/04/10	197 63	169 75	27 88
ISHARES BARCLAYS INTERMEDIATE CREDIT BOND FUND		55 00000	103 0723	01/04/10	06/17/10	5,731 44	5,668 98	62 46
		25 00000	103 7220	04/01/10	06/17/10	2,605 21	2,593 05	12 16
<b>Subtotal</b>		<b>80 00000</b>				<b>8,336 65</b>	<b>8,262 03</b>	<b>74 62</b>
ISHARES BARCLAYS 1 3 YEAR CREDIT BOND FUND ETF		34 00000	104 0216	01/04/10	06/17/10	3,526 42	3,536 73	-10 31
ISHARES IBOXX INV GRADE CORP BOND FUND	ETF	30 00000	105 5225	04/01/10	06/17/10	3,194 64	3,165 68	28 96
ISHARES S&P MIDCAP 400 VALUE INDEX FUND		159 00000	53 0083	07/01/09	06/17/10	11,108 34	8,428 32	2,680 02
		150 00000	61 6632	10/01/09	06/17/10	10,479 58	9,249 48	1,230 10
<b>Subtotal</b>		<b>309 00000</b>				<b>21,587 92</b>	<b>17,677 80</b>	<b>3,910 12</b>
ISHARES S&P MIDCAP 400 GROWTH INDEX FUND		160 00000	63 0868	07/01/09	06/17/10	13,366 01	10,093 89	3,272 12
		75 00000	72 4392	10/01/09	06/17/10	6,265 32	5,432 94	832 38
<b>Subtotal</b>		<b>235 00000</b>				<b>19,631 33</b>	<b>15,526 83</b>	<b>4,104 50</b>
ISHARES S&P SMALLCAP 600 GROWTH INDEX FUND		217 00000	47 2779	07/01/09	06/17/10	13,283 99	10,259 30	3,024 69
		86 00000	53 2471	10/01/09	06/17/10	5,264 63	4,579 25	685 38

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Amended Date 3/04/11



Realized Gain/Loss

Account Number 1375-7520  
 Command Account Number 9080461707  
 CHRISTOPHER M AVERY TTEE  
 JAMES AVERY CHARITABLE  
 FNDTN TR UAD 2/11/92  
 CAAP EQUITY ACCOUNT

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Short Term	Continued							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
	40 00000	61 7222	04/01/10	06/17/10	2,448 67	2,468 89	-20 22	
<b>Subtotal</b>	<b>343 00000</b>				<b>20,997 29</b>	<b>17,307 44</b>	<b>3,689 85</b>	
ISHARES S&P SMALLCAP 600 VALUE INDEX FUND	183 00000	48 2012	07/01/09	06/17/10	11,361 40	8,820 82	2,540 58	
	147 00000	55 1254	10/01/09	06/17/10	9,126 37	8,103 43	1,022 94	
	6 00000	59 2300	01/04/10	06/17/10	372 50	355 38	17 12	
	29 00000	64 6149	04/01/10	06/17/10	1,800 45	1,873 83	-73 38	
<b>Subtotal</b>	<b>365 00000</b>				<b>22,660 72</b>	<b>19,153 46</b>	<b>3,507 26</b>	
SELECT SECTOR SPDR FD MATERIALS	34 00000	30 2279	10/01/09	01/04/10	1,151 91	1,027 75	124 16	
	122 00000	30 2279	10/01/09	06/17/10	3,751 92	3,687 80	64 12	
<b>Subtotal</b>	<b>156 00000</b>				<b>4,903 83</b>	<b>4,715 55</b>	<b>188 28</b>	
SPDR BARCLAYS CAP ETF HIGH YIELD BOND ETF	192 00000	37 7538	10/01/09	06/17/10	7,361 89	7,248 73	113 16	
	15 00000	39 2520	01/04/10	06/17/10	575 15	588 78	-13 63	
<b>Subtotal</b>	<b>207 00000</b>				<b>7,937 04</b>	<b>7,837 51</b>	<b>99 53</b>	
VANGUARD EMERGING MARKETS ETF	25 00000	25 8121	04/03/09	01/04/10	1,055 57	645 31	410 26	
	266 00000	32 6010	07/01/09	06/17/10	10 560 82	8,671 87	1,888 95	
<b>Subtotal</b>	<b>291 00000</b>				<b>11,616 39</b>	<b>9,317 18</b>	<b>2,299 21</b>	
VANGUARD EUROPE ETF PACIFIC	306 00000	24 6719	04/03/09	04/01/10	10,716 14	7,549 61	3,166 53	
	60 00000	29 3360	07/01/09	06/17/10	1,867 40	1,760 16	107 24	
	179 00000	35 0558	01/04/10	06/17/10	5,571 11	6,274 99	-703 88	
<b>Subtotal</b>	<b>545 00000</b>				<b>18,154 65</b>	<b>15,584 76</b>	<b>2,569 89</b>	
VANGUARD REIT ETF	194 00000	40 3143	10/01/09	06/17/10	9,931 08	7,820 97	2,110 11	

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Realized Gain/Loss

Amended Date 3/04/11

Account Number 1375-7520  
 Command Account Number 9080461707  
 CHRISTOPHER M AVERY TTEE  
 JAMES AVERY CHARITABLE  
 FNDTN TR UAD 2/11/82  
 CAAP EQUITY ACCOUNT

<b>Short Term</b>		<i>Continued</i>						
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
VANGUARD TOTAL BOND ETF MARKET	63 00000	78 6695	01/04/10	06/17/10	5,080 86	4,956 18	124 68	
	16 00000	78 9225	04/01/10	06/17/10	1,290 38	1,262 76	27 62	
<b>Subtotal</b>	<b>79 00000</b>				<b>6,371 24</b>	<b>6,218 94</b>	<b>152 30</b>	
<b>Total - Short Term</b>					<b>\$159,383 70</b>	<b>\$136,589 32</b>	<b>\$22,794 38</b>	
<b>Long Term</b>								
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
ENERGY SELECT ETF SECTOR SPDR	15 00000	62 3102	10/01/08	01/04/10	878 74	934 65	-55 91	
	61 00000	51 3788	01/05/09	06/17/10	3,373 84	3,134 10	239 74	
	18 00000	45 6397	04/03/09	06/17/10	995 57	821 51	174 06	
<b>Subtotal</b>	<b>94 00000</b>				<b>5,248 15</b>	<b>4,890 26</b>	<b>357 89</b>	
FINANCIAL SELECT ETF SECTOR SPDR	47 00000	34 8091	10/01/07	01/04/10	688 42	1,636 02	-947 60	
	61 00000	12 5958	01/05/09	04/01/10	979 59	768 35	211 24	
	450 00000	12 5958	01/05/09	06/17/10	6,624 78	5 668 10	956 68	
<b>Subtotal</b>	<b>558 00000</b>				<b>8,292 79</b>	<b>8,072 47</b>	<b>220 32</b>	
INDUSTRIAL SELECT ETF SECTOR SPDR	1 00000	31 5000	11/28/05	01/04/10	28 23	31 50	-3 27	
	69 00000	33 7511	07/01/08	01/04/10	1,948 05	2,328 83	-380 78	
	151 00000	24 2487	01/05/09	06/17/10	4,501 53	3,661 54	839 99	
	127 00000	19 7972	04/03/09	06/17/10	3,786 06	2,514 24	1,271 82	
<b>Subtotal</b>	<b>348 00000</b>				<b>10,263 87</b>	<b>8,536 11</b>	<b>1,727 76</b>	
ISHARES S&P MIDCAP 400 VALUE INDEX FUND	158 00000	67 6400	10/01/08	06/17/10	11,038 48	10,687 12	351 36	

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Realized Gain/Loss

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Amended Date: 3/04/11

Account Number 1375-7520  
 Command Account Number 9080461707  
 CHRISTOPHER M AVERY TTEE  
 JAMES AVERY CHARITABLE  
 FNDTN TR UAD 2/1 1/92  
 CAAP EQUITY ACCOUNT

Long Term	Continued							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
ISHARES S&P MIDCAP 400 GROWTH INDEX FUND	13 00000	74 0432	10/01/08	04/01/10	1,114 33	962 57	151 76	
	151 00000	74 0432	10/01/08	06/17/10	12,614 17	11,180 50	1,433 67	
<b>Subtotal</b>	<b>164.00000</b>				<b>13,728 50</b>	<b>12,143 07</b>	<b>1,585.43</b>	
ISHARES S&P SMALLCAP 600 GROWTH INDEX FUND	192 00000	60 1225	10/01/08	06/17/10	11,753 57	11,543 52	210 05	
ISHARES S&P SMALLCAP 600 VALUE INDEX FUND	146 00000	64 3820	10/01/08	06/17/10	9,064 28	9,399 77	-335 49	
ISHARES TR S&P 500 INDEX FD	72 00000	127 6301	07/01/08	01/04/10	8,159 97	9,189 37	-1,029 40	
	101 00000	127 6301	07/01/08	06/17/10	11,305 94	12,890 63	-1,584 69	
	139 00000	92 9588	01/05/09	06/17/10	15,559 67	12,921 27	2,638 40	
	21 00000	83 6837	04/03/09	06/17/10	2,350 75	1,757 36	593 39	
<b>Subtotal</b>	<b>333 00000</b>				<b>37,376 33</b>	<b>36,758.63</b>	<b>617 70</b>	
ISHARES TR -DOW JONES US TELECOM SECTOR INDEX FD	41 00000	24 1400	11/28/05	01/04/10	838 92	989 74	-150 82	
	3 00000	24 1400	11/28/05	06/17/10	59 86	72 42	-12 56	
	129 00000	23 7834	07/01/08	06/17/10	2,574 06	3,068 06	-494 00	
<b>Subtotal</b>	<b>173 00000</b>				<b>3,472 84</b>	<b>4,130 22</b>	<b>-657 38</b>	
SECTOR SPDR TR TECHNOLOGY SELECT SECTOR	103 00000	20 2755	07/05/06	01/04/10	2,391 36	2,088 38	302 98	
	54 00000	20 2755	07/05/06	06/17/10	1,205 25	1,094 87	110 38	
	184 00000	15 9252	01/05/09	06/17/10	4,106 81	2,930 24	1,176 57	
	54 00000	16 6613	04/03/09	06/17/10	1,205 26	899 71	305 55	
<b>Subtotal</b>	<b>395 00000</b>				<b>8,908 68</b>	<b>7,013.20</b>	<b>1,895 48</b>	

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Realized Gain/Loss

Amended Date 3/04/11

Account Number 1375-7520  
 Command Account Number 9080461707  
 CHRISTOPHER M AVERY TTEE  
 JAMES AVERY CHARITABLE  
 FNDTN TR UAD 2/11/82  
 CAAP EQUITY ACCOUNT

Long Term	Continued							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
SELECT SECTOR SPDR FD HF ALTH CARE	32 00000	35 6055	10/01/07	01/04/10	1,008 70	1,139 38	-130 68	
	30 00000	35 6055	10/01/07	06/17/10	890 19	1,068 15	-177 96	
	80 00000	23 9079	04/03/09	06/17/10	2,373 87	1,912 63	461 24	
<b>Subtotal</b>	<b>142.00000</b>				<b>4,272 76</b>	<b>4,120 16</b>	<b>152 60</b>	
SELECT SECTOR SPDR FD CONSUMER DISCRETIONARY	4 00000	33 0951	07/05/06	01/04/10	119 99	132 37	-12 38	
	54 00000	37 0891	10/01/07	01/04/10	1,619 87	2,002 82	-382 95	
	5 00000	37 0891	10/01/07	06/17/10	162 81	185 44	-22 63	
	76 00000	28 0710	07/01/08	06/17/10	2,474 74	2,133 40	341 34	
	91 00000	22 4596	01/05/09	06/17/10	2,963 19	2,043 82	919 37	
<b>Subtotal</b>	<b>230 00000</b>				<b>7,340 60</b>	<b>6,497 85</b>	<b>842 75</b>	
SELECT SECTOR SPDR TR CONSUMER STAPLES	29 00000	27 2643	07/02/07	01/04/10	774 32	790 67	-16 35	
	52 00000	27 2643	07/02/07	06/17/10	1,393 05	1,417 73	-24 68	
	37 00000	24 1940	01/05/09	06/17/10	991 21	895 18	96 03	
<b>Subtotal</b>	<b>118 00000</b>				<b>3,158 58</b>	<b>3,103 58</b>	<b>55 00</b>	
SPDR BARCLAYS CAP ETF HIGH YIELD BOND ETF	114 00000	32 9275	01/05/09	06/17/10	4,371 11	3,753 74	617 37	
	41 00000	30 0850	04/03/09	06/17/10	1,572 07	1,233 49	338 58	
<b>Subtotal</b>	<b>155 00000</b>				<b>5,943 18</b>	<b>4,987 23</b>	<b>955 95</b>	
VANGUARD EMERGING MARKETS ETF	214 00000	25 8121	04/03/09	06/17/10	8,496 29	5,523 78	2,972 51	
VANGUARD EUROPE ETF PACIFIC	277 00000	24 6719	04/03/09	06/17/10	8,621 19	6,834 11	1,787 08	
<b>Total - Long Term</b>					<b>\$156,980 09</b>	<b>\$144,241 08</b>	<b>\$12,739 01</b>	

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Realized Gain/Loss

Amended Date: 3/04/11

Account Number 4363-5386  
 Command Account Number 9088340171  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRIS M AVERY TTEE  
 U/A DTD 02/11/1992

Realized Gain/Loss Detail for Year

Short Term DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
RUSSELL INTL DEVELOPD MKTS FD CLASS S	36 10100	26 7400	06/24/10	10/08/10	1,117 33	965 35	151 98
	94 07600	26 7400	06/24/10	10/27/10	2,903 17	2,515 60	387 57
<b>Subtotal</b>	<b>130.17700</b>				<b>4,020 50</b>	<b>3,480 95</b>	<b>539 55</b>
RUSSELL INVT CO COMMODITY STRATEGIES FD CL S	89 28100	9 9000	07/02/10	10/27/10	1,032 98	883 89	149 09
RUSSELL INVT CO GLOBAL REAL ESTATE SECS FD CL S	40 81600	31 9800	06/24/10	10/27/10	1,459 16	1,305 30	153 86
RUSSELL REAL ESTATE SEC FD CLASS S	2 00500	31 9800	06/24/10	06/28/10	64 91	64 12	0 79
	263 46900	31 9800	06/24/10	07/02/10	7,922 51	8,425 74	-503 23
<b>Subtotal</b>	<b>265 47400</b>				<b>7,987 42</b>	<b>8,489 86</b>	<b>-502 44</b>
RUSSELL STRATEGIC BOND CLASS S	363 30700	10 8300	06/24/10	07/02/10	3,938 25	3,934 62	3 63
	367 79100	10 8300	06/24/10	10/27/10	4,122 94	3,983 18	139 76
<b>Subtotal</b>	<b>731 09800</b>				<b>8,061 19</b>	<b>7,917 80</b>	<b>143 39</b>
RUSSELL US CORE EQUITY CLASS S	303 39000	23 6000	06/24/10	07/02/10	6,768 63	7,160 01	-391 38
	40 57800	23 6000	06/24/10	07/09/10	957 65	957 65	0 00
	651 35700	23 6000	06/24/10	10/27/10	16,928 77	15,372 02	1,556 75
<b>Subtotal</b>	<b>995 32500</b>				<b>24,655 05</b>	<b>23,489 68</b>	<b>1,165 37</b>
RUSSELL US QUANT EQTY CLASS S	125 80700	24 7600	06/24/10	07/02/10	2,952 70	3,114 99	-162 29

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Realized Gain/Loss

Amended Date 3/04/11

Account Number 4363-5386  
 Command Account Number 9088340171  
 JAMES AVERY CHARITABLE  
 FOUNDATION TR  
 CHRIS M AVERY TTEE  
 U/A DTD 02/11/1992

Short Term	Continued							
DESCRIPTION	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS	
<b>Subtotal</b>	<b>968.39100</b>	24 7600	06/24/10	10/27/10	22,707 65	20,862 38	1,845 27	
RUSSELL US SML MID CAP CLASS S	66 73900	18 2600	06/24/10	10/27/10	1,366 15	1,218 66	147 49	
<b>Total - Short Term</b>					<b>\$74,242 80</b>	<b>\$70,763 51</b>	<b>\$3,479 29</b>	

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Realized Gain/Loss

As of Date 2/04/11

Account Number 1375-7619  
 Command Account Number 9080461729  
 CHRISTOPHER M AVERY TTEE  
 JAMES AVERY CHARITABLE  
 FNDTN TR UAD 2/11/92  
 FIXED INCOME ACCOUNT

Realized Gain/Loss Detail for Year

Long Term	QUANTITY	ADJ PRICE/ ORIG PRICE	DATE ACQUIRED	CLOSE DATE	PROCEEDS	ADJ COST/ ORIG COST	GAIN/LOSS
BANK OF AMERICA CORP SENIOR NOTES CPN 5.625% DUE 10/14/16 DTD 10/26/06 FC 04/14/07	10,000 00000	100.8245	10/09/07	04/26/10	10,307.10	10,082.45	224.65
GOLDMAN SACHS GRP INC GLOBAL BONDS CPN 6.875% DUE 01/15/11 DTD 01/16/01 FC 07/15/01	10,000 00000	107.6580	11/30/05	08/18/10	10,237.19	10,765.80	-528.61
JP MORGAN CHASE & CO SENIOR NOTES CPN 5.375% DUE 10/01/12 DTD 10/01/07 FC 04/01/08	10,000 00000	100.3880	12/03/08	06/03/10	10,715.50	10,038.80	676.70
<b>Total - Long Term</b>					<b>\$31,259.79</b>	<b>\$30,887.05</b>	<b>\$372.74</b>

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

SOURCE	AMOUNT
PARTNERSHIP INTEREST	140.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	140.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
WACHOVIA - 5386	14,090.	22.	14,068.
WACHOVIA - 6046	2,786.	0.	2,786.
WACHOVIA - 7520	1,491.	0.	1,491.
WACHOVIA - 7520 INTEREST	1.	0.	1.
WACHOVIA - 7619 ACCRUED INTEREST PURCHASED	-472.	0.	-472.
WACHOVIA - 7619 INTEREST	14,838.	0.	14,838.
WACHOVIA - 7677 INTEREST	9.	0.	9.
TOTAL TO FM 990-PF, PART I, LN 4	32,743.	22.	32,721.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVESTMENT INCOME	(C) ADJUSTED NET INCOME
WACHOVIA N/TAXABLE DISTRIBUTION	57.	57.	
PARTNERSHIP LOSS	-3,335.	-3,335.	
TOTAL TO FORM 990-PF, PART I, LINE 11	-3,278.	-3,278.	

FORM 990-PF	ACCOUNTING FEES			STATEMENT 4
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
	4,338.	0.		0.
TO FORM 990-PF, PG 1, LN 16B	4,338.	0.		0.

FORM 990-PF	TAXES			STATEMENT 5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	482.	0.		0.
FEDERAL TAXES	396.	0.		0.
TO FORM 990-PF, PG 1, LN 18	878.	0.		0.

FORM 990-PF	OTHER EXPENSES			STATEMENT 6
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
BROKERAGE ADVISORY FEES	7,045.	0.		0.
REIMBURSED EXPENSE	-1,023.	0.		0.
TO FORM 990-PF, PG 1, LN 23	6,022.	0.		0.

FORM 990-PF

GRANTS AND CONTRIBUTIONS  
PAID DURING THE YEAR

STATEMENT 7

RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
HILL COUNTRY MEMORIAL HOSPITAL FOUNDATION PO BOX 1139 FREDERICKSBURG, TX 78624	N/A	PUBLIC CHARITY	50,000.
PROVIDENCE CATHOLIC SCHOOL 1215 N. ST. MARY'S ST SAN ANTONIO, TX 78215	N/A	PUBLIC CHARITY	20,000.
SID PETERSON MEMORIAL HOSPITAL FOUNDATION 551 HILL COUNTRY DR. KERRVILLE, TX 78028	N/A	PUBLIC CHARITY	50,000.
BOYS AND GIRLS CLUB - TX HILL COUNTRY 208 EAST PARK ST. FREDERICKSBURG , TX 78624	N/A	PUBLIC CHARITY	25,000.
CHRISTIAN ASSISTANCE MINISTRY 624 CLAY ST. KERRVILLE, TX 78028	N/A	PUBLIC CHARITY	10,000.
CHILDREN'S ASSOCIATION FOR MAXIMUM POTENTIAL PO BOX 27086 SAN ANTONIO, TX 78227	N/A	PUBLIC CHARITY	10,000.
NEW HOPE COUNSELING CENTER 616 BARNETT KERRVILLE, TX 78028	N/A	PUBLIC CHARITY	10,000.
SOUTHWEST SCHOOL OF ART & CRAFT 300 AUGUSTA SAN ANTONIO, TX 78205	N/A	PUBLIC CHARITY	12,400.

JAMES AVERY CHARITABLE FOUNDATION ATTN:

74-2627241

BOERNE PUBLIC LIBRARY FOUNDATION N/A  
210 N. MAIN BOERNE, TX 78006

PUBLIC CHARITY 10,000.

TOTAL TO FORM 990-PF, PART XV, LINE 3A

197,400.

## Application for Extension of Time To File an Exempt Organization Return

OMB No. 1545-1709

▶ **File a separate application for each return.**

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

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

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

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

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

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

<b>Type or print</b>	Name of exempt organization <b>JAMES AVERY CHARITABLE FOUNDATION ATTN: CHRIS AVERY</b>	Employer identification number <b>74-2627241</b>
File by the due date for filing your return. See instructions	Number, street, and room or suite no. if a P.O. box, see instructions. <b>PO BOX 291367</b>	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. <b>KERRVILLE, TX 78029-1367</b>	

Enter the Return code for the return that this application is for (file a separate application for each return) 04

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

**CHRISTOPHER MATTHEW AVERY**

• The books are in the care of ▶ **P.O. BOX 291367, KERRVILLE, TX - 78029-1367**  
Telephone No. ▶ **830-895-1122** FAX No. ▶ \_\_\_\_\_

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

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

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

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	<b>3a</b>	\$	0.
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	<b>3b</b>	\$	0.
c <b>Balance due.</b> Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	<b>3c</b>	\$	0.

**Caution.** If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.