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

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

**2010**

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

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

Name of foundation **Jacob & Terese Hershey Foundation** A Employer identification number **74-6039126**  
Number and street (or P O box number if mail is not delivered to street address) Room/suite B Telephone number (see page 10 of the instructions)  
**2121 San Felipe** **124** **(713) 529-7611**

City or town, state, and ZIP code  
**Houston TX 77019**

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

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) **\$ 3,869,942** J Accounting method: ☒ Cash ☐ Accrual ☐ Other (specify) \_\_\_\_\_  
(Part I, column (d) must be on cash basis)

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 ☐  
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 ☐

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

	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
<b>Revenue</b>				
1 Contributions, gifts, grants, etc., received (attach schedule)				
2 Check <input type="checkbox"/> if the foundation is not required to attach Sch B				
3 Interest on savings and temporary cash investments	55,960	55,960		
4 Dividends and interest from securities	166,404	166,404		
5 a Gross rents		0		
b Net rental income or (loss)	0			
6 a Net gain or (loss) from sale of assets not on line 10	-1,810			
b Gross sales price for all assets on line 6a	95,892			
7 Capital gain net income (from Part IV, line 2)				
8 Net short-term capital gain			15	
9 Income modifications				
10 a Gross sales less returns and allowances	0			
b Less cost of goods sold	0			
c Gross profit or (loss) (attach schedule)	0			
11 Other income (attach schedule)	1,301	1,301	0	
12 Total. Add lines 1 through 11	221,855	223,665	15	
<b>Operating and Administrative Expenses</b>				
13 Compensation of officers, directors, trustees, etc.	0			
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16 a Legal fees (attach schedule)	0	0	0	0
b Accounting fees (attach schedule)	2,500	1,250		1,250
c Other professional fees (attach schedule)	0	0	0	0
17 Interest				
18 Taxes (attach schedule) (see page 14 of the instructions)	3,216		0	
19 Depreciation (attach schedule) and depletion	0	0	0	
20 Occupancy				
21 Travel, conferences, and meetings	959	479		480
22 Printing and publications				
23 Other expenses (attach schedule)	442	221	0	221
24 Total operating and administrative expenses. Add lines 13 through 23	7,117	1,950	0	1,951
25 Contributions, gifts, grants paid	299,100			299,100
26 Total expenses and disbursements. Add lines 24 and 25	306,217	1,950	0	301,051
27 Subtract line 26 from line 12:				
a Excess of revenue over expenses and disbursements	-84,362			
b Net investment income (if negative, enter -0-)		221,715		
c Adjusted net income (if negative, enter -0-)			15	

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Part II Balance Sheets		Beginning of year (a) Book Value	End of year	
			(b) Book Value	(c) Fair Market Value
Assets	1 Cash—non-interest-bearing			
	2 Savings and temporary cash investments	141,817	55,234	55,234
	3 Accounts receivable	0		
	Less: allowance for doubtful accounts	0	0	
	4 Pledges receivable	0		
	Less: allowance for doubtful accounts	0	0	0
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)	0	0	0
	7 Other notes and loans receivable (attach schedule)	0		
	Less: allowance for doubtful accounts	0	0	0
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10 a Investments—U S and state government obligations (attach schedule)	0	0	0
	b Investments—corporate stock (attach schedule)	3,000,044	2,996,847	2,441,870
	c Investments—corporate bonds (attach schedule)	1,517,880	1,522,101	1,372,838
	11 Investments—land, buildings, and equipment basis	0		
Liabilities	Less: accumulated depreciation (attach schedule)	0	0	0
	12 Investments—mortgage loans			
	13 Investments—other (attach schedule)	0	0	0
	14 Land, buildings, and equipment basis	0		
	Less: accumulated depreciation (attach schedule)	0	0	0
	15 Other assets (describe)	0	0	0
	16 Total assets (to be completed by all filers—see the instructions. Also, see page 1, item I)	4,659,741	4,574,182	3,869,942
Net Assets or Fund Balances	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons	0	0	
	21 Mortgages and other notes payable (attach schedule)	0	0	
	22 Other liabilities (describe)	0	0	
	23 Total liabilities (add lines 17 through 22)	0	0	
	Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted			
	25 Temporarily restricted			
Net Assets or Fund Balances	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	4,425,563	4,262,123	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	234,178	312,059	
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 Total net assets or fund balances (see page 17 of the instructions)	4,659,741	4,574,182	
Net Assets or Fund Balances	31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	4,659,741	4,574,182	

## 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	4,659,741
2	Enter amount from Part I, line 27a	2	-84,362
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	4,575,379
5	Decreases not included in line 2 (itemize) Non Deductible Expenses 501; Federal IncomeTax Paid 696	5	1,197
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	4,574,182

**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.)
<b>1a</b> See Attached Schedule D					
<b>b</b>					
<b>c</b>					
<b>d</b>					
<b>e</b>					
(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)		
<b>a</b>	0	0	0	0	0
<b>b</b>	0	0	0	0	0
<b>c</b>	0	0	0	0	0
<b>d</b>	0	0	0	0	0
<b>e</b>	0	0	0	0	0
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			
<b>a</b>	0	0	0	0	0
<b>b</b>	0	0	0	0	0
<b>c</b>	0	0	0	0	0
<b>d</b>	0	0	0	0	0
<b>e</b>	0	0	0	0	0
<b>2</b> 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 }			<b>2</b>		
<b>3</b> 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			<b>3</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.

(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	268,006	2,574,677	0.104093
2008	201,191	2,049,330	0.098174
2007	206,038	2,646,408	0.077856
2006	209,753	2,555,243	0.082087
2005	242,200	2,585,542	0.093675
<b>2</b> Total of line 1, column (d)			<b>2</b> 0.455885
<b>3</b> 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			<b>3</b> 0.091177
<b>4</b> Enter the net value of noncharitable-use assets for 2010 from Part X, line 5			<b>4</b> 3,729,770
<b>5</b> Multiply line 4 by line 3			<b>5</b> 340,069
<b>6</b> Enter 1% of net investment income (1% of Part I, line 27b)			<b>6</b> 2,201
<b>7</b> Add lines 5 and 6			<b>7</b> 342,270
<b>8</b> Enter qualifying distributions from Part XII, line 4			<b>8</b> 302,659

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)**

1 a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1.				
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b		1	2,217	
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	2,217	
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4		
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	2,217	
6 Credits/Payments.				
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a	1,356		
b Exempt foreign organizations—tax withheld at source	6b			
c Tax paid with application for extension of time to file (Form 8868)	6c	0		
d Backup withholding erroneously withheld	6d			
7 Total credits and payments. Add lines 6a through 6d	7	1,356		
8 Enter any penalty for underpayment of estimated tax. Check here <input checked="" type="checkbox"/> if Form 2220 is attached	8	18		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9	879		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	0		
11 Enter the amount of line 10 to be. Credited to 2011 estimated tax <input type="checkbox"/> 0 Refunded <input type="checkbox"/>	11	0		

**Part VII-A Statements Regarding Activities**

	Yes	No
1 a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?		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.		
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. <input type="checkbox"/> \$ (2) On foundation managers <input type="checkbox"/> \$		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS?		X
If "Yes," attach a detailed description of the activities.		
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?	X	
b If "Yes," has it filed a tax return on Form 990-T for this year?	X	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?		X
If "Yes," attach the statement required by General Instruction T.		
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV.	X	
8 a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <input checked="" type="checkbox"/> TX		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV on page 27)?		X
If "Yes," complete Part XIV		
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

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

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	
Website address <b>▶ jthershey@att.net</b>				
14	The books are in care of <b>▶ Judy Boyce</b>	Telephone no	<b>▶ (713) 529-7611</b>	
Located at <b>▶ 2121 San Felipe Ste #124 Houston TX</b>		ZIP+4	<b>▶ 77019-5600</b>	
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041—Check here and enter the amount of tax-exempt interest received or accrued during the year	15	<b>▶</b>	
16	At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?	16	Yes	No
See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country <b>▶</b>				X

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

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

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

- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No
- (3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions) ☐ Yes ☒ No
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

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

Organizations relying on a current notice regarding disaster assistance check here ☐

**c** If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? ☐ Yes ☒ No

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

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

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

If "Yes" to 6b, file Form 8870

**7a** At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No

**b** If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? ☐ Yes ☒ No **7b** X

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (if not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
See Attached Statement	.00	0	0	0
	.00	0	0	0
	.00	0	0	0
	.00	0	0	0
	.00	0	0	0

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

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

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

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

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

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

**Part IX-A Summary of Direct Charitable Activities**

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

	Expenses
1 None	
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 None	
2	
All other program-related investments. See page 24 of the instructions	
3	0
<b>Total.</b> Add lines 1 through 3	0



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

<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>	3,657,336
<b>b</b>	Average of monthly cash balances	<b>1b</b>	129,233
<b>c</b>	Fair market value of all other assets (see page 25 of the instructions)	<b>1c</b>	
<b>d</b>	Total (add lines 1a, b, and c)	<b>1d</b>	3,786,569
<b>e</b>	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	
<b>2</b>	Acquisition indebtedness applicable to line 1 assets	<b>2</b>	
<b>3</b>	Subtract line 2 from line 1d	<b>3</b>	3,786,569
<b>4</b>	Cash deemed held for charitable activities. Enter 1½ % of line 3 (for greater amount, see page 25 of the instructions)	<b>4</b>	56,799
<b>5</b>	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4.	<b>5</b>	3,729,770
<b>6</b>	Minimum investment return. Enter 5% of line 5	<b>6</b>	186,489

**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.)

<b>1</b>	Minimum investment return from Part X, line 6	<b>1</b>	186,489
<b>2a</b>	Tax on investment income for 2010 from Part VI, line 5	<b>2a</b>	2,217
<b>b</b>	Income tax for 2010. (This does not include the tax from Part VI.)	<b>2b</b>	45
<b>c</b>	Add lines 2a and 2b	<b>2c</b>	2,262
<b>3</b>	Distributable amount before adjustments. Subtract line 2c from line 1	<b>3</b>	184,227
<b>4</b>	Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b>	Add lines 3 and 4	<b>5</b>	184,227
<b>6</b>	Deduction from distributable amount (see page 25 of the instructions)	<b>6</b>	
<b>7</b>	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1.	<b>7</b>	184,227

**Part XII. Qualifying Distributions** (see page 25 of the 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>	301,051
<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>	0
<b>4</b>	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4.	<b>4</b>	301,051
<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 (see page 26 of the instructions)	<b>5</b>	2,217
<b>6</b>	Adjusted qualifying distributions. Subtract line 5 from line 4	<b>6</b>	298,834

**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
<b>1</b> Distributable amount for 2010 from Part XI, line 7 . . . . .				184,227
<b>2</b> Undistributed income, if any, as of the end of 2010:				
<b>a</b> Enter amount for 2009 only . . . . .			0	
<b>b</b> Total for prior years: 20____, 20____, 20____ . . . . .		0		
<b>3</b> Excess distributions carryover, if any, to 2010:				
<b>a</b> From 2005 . . . . .	0			
<b>b</b> From 2006 . . . . .	0			
<b>c</b> From 2007 . . . . .	0			
<b>d</b> From 2008 . . . . .	0			
<b>e</b> From 2009 . . . . .				
<b>f</b> Total of lines 3a through e . . . . .	0			
<b>4</b> Qualifying distributions for 2010 from Part XII, line 4: ► \$ <u>301,051</u>				
<b>a</b> Applied to 2009, but not more than line 2a . . . . .			0	
<b>b</b> Applied to undistributed income of prior years (Election required—see page 26 of the instructions) . . . . .		0		
<b>c</b> Treated as distributions out of corpus (Election required—see page 26 of the instructions) . . . . .	0			
<b>d</b> Applied to 2010 distributable amount . . . . .				184,227
<b>e</b> Remaining amount distributed out of corpus . . . . .				
<b>5</b> Excess distributions carryover applied to 2010 . . . . .	0			0
(If an amount appears in column (d), the same amount must be shown in column (a).)				
<b>6</b> Enter the net total of each column as indicated below:				
<b>a</b> Corpus. Add lines 3f, 4c, and 4e. Subtract line 5 . . . . .	0			
<b>b</b> Prior years' undistributed income. Subtract line 4b from line 2b . . . . .		0		
<b>c</b> 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 . . . . .				
<b>d</b> Subtract line 6c from line 6b. Taxable amount—see page 27 of the instructions . . . . .		0		
<b>e</b> Undistributed income for 2009. Subtract line 4a from line 2a. Taxable amount—see page 27 of the instructions . . . . .			0	
<b>f</b> Undistributed income for 2010. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2011 . . . . .				0
<b>7</b> 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) . . . . .				
<b>8</b> Excess distributions carryover from 2005 not applied on line 5 or line 7 (see page 27 of the instructions) . . . . .	0			
<b>9</b> Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a . . . . .	0			
<b>10</b> Analysis of line 9:				
<b>a</b> Excess from 2006 . . . . .	0			
<b>b</b> Excess from 2007 . . . . .	0			
<b>c</b> Excess from 2008 . . . . .	0			
<b>d</b> Excess from 2009 . . . . .	0			
<b>e</b> Excess from 2010 . . . . .	0			

## N/A

- [illegible]

- ☐ 4942(j)(3) or ☐ 4942(j)(5)

- | Tax year | Prior 3 years |          |          | (e) Total |
|----------|---------------|----------|----------|-----------|
| (a) 2010 | (b) 2009      | (c) 2008 | (d) 2007 |           |
| 0        | 0             |          |          |           |

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**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).)

- 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

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

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

Form **990-PF** (2010)

**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)				
<b>a</b> <i>Paid during the year</i> Schedule Attached		Public	Furthering Purpose of Respective Donee	299,100
<b>Total</b>			▶ <b>3a</b>	299,100
<b>b</b> <i>Approved for future payment</i>				
<b>Total</b>			▶ <b>3b</b>	0

## Enter gross amounts unless otherwise indicated.

Line No.



**SCHEDULE D  
(Form 1041)**Department of the Treasury  
Internal Revenue Service**Capital Gains and Losses**

OMB No 1545-0092

**2010**▶ Attach to Form 1041, Form 5227, or Form 990-T. See the instructions for  
Schedule D (Form 1041) (also for Form 5227 or Form 990-T, if applicable).

Name of estate or trust

Jacob &amp; Terese Hershey Foundation

Employer identification number

74-6039126

**Note:** Form 5227 filers need to complete only Parts I and II.**Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less**

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo, day, yr)	(c) Date sold (mo, day, yr)	(d) Sales price	(e) Cost or other basis (see instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
<b>1a</b> Cash in Lieu			15		15
<b>b</b> Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b . . . . .					<b>1b</b> 0
<b>2</b> Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824 . . . . .					<b>2</b>
<b>3</b> Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts . . . . .					<b>3</b>
<b>4</b> Short-term capital loss carryover. Enter the amount, if any, from line 9 of the 2009 Capital Loss Carryover Worksheet . . . . .					<b>4</b> ( )
<b>5</b> Net short-term gain or (loss). Combine lines 1a through 4 in column (f). Enter here and on line 13, column (3) on the back . . . . . ▶					<b>5</b> 15

**Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year**

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo, day, yr)	(c) Date sold (mo, day, yr)	(d) Sales price	(e) Cost or other basis (see instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
<b>6a</b> Ford Capital BV	7/1/1992	6/1/2010	70,000	70,000	0
Preferred Plus-El Paso	3/19/2002	12/30/2010	25,877	25,000	877
<b>b</b> Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b . . . . .					<b>6b</b> 0
<b>7</b> Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824 . . . . .					<b>7</b>
<b>8</b> Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts . . . . .					<b>8</b> -2,702
<b>9</b> Capital gain distributions . . . . .					<b>9</b>
<b>10</b> Gain from Form 4797, Part I . . . . .					<b>10</b>
<b>11</b> Long-term capital loss carryover. Enter the amount, if any, from line 14 of the 2009 Capital Loss Carryover Worksheet . . . . .					<b>11</b> )
<b>12</b> Net long-term gain or (loss). Combine lines 6a through 11 in column (f). Enter here and on line 14a, column (3) on the back . . . . . ▶					<b>12</b> -1,825

For Paperwork Reduction Act Notice, see the Instructions for Form 1041.

(HTA)

Schedule D (Form 1041) 2010

**Part III Summary of Parts I and II****Caution: Read the instructions before completing this part.**

	(1) Beneficiaries' (see instr.)	(2) Estate's or trust's	(3) Total
<b>13</b> Net short-term gain or (loss) . . . . .	<b>13</b>	15	15
<b>14</b> Net long-term gain or (loss):			
<b>a</b> Total for year . . . . .	<b>14a</b>	-1,825	-1,825
<b>b</b> Unrecaptured section 1250 gain (see line 18 of the wrksht.)	<b>14b</b>		0
<b>c</b> 28% rate gain . . . . .	<b>14c</b>		0
<b>15</b> Total net gain or (loss). Combine lines 13 and 14a . . . . .	<b>15</b>	0	-1,810

**Note:** If line 15, column (3), is a net gain, enter the gain on Form 1041, line 4 (or Form 990-T, Part I, line 4a). If lines 14a and 15, column (2), are net gains, go to Part V, and do not complete Part IV. If line 15, column (3), is a net loss, complete Part IV and the **Capital Loss Carryover Worksheet**, as necessary.

**Part IV Capital Loss Limitation**

<b>16</b> Enter here and enter as a (loss) on Form 1041, line 4 (or Form 990-T, Part I, line 4c, if a trust), the smaller of:	<b>16</b>	( 1,810 )
<b>a</b> The loss on line 15, column (3)    or <b>b</b> \$3,000 . . . . .		

**Note:** If the loss on line 15, column (3), is more than \$3,000, or if Form 1041, page 1, line 22 (or Form 990-T, line 34), is a loss, complete the **Capital Loss Carryover Worksheet** on page 7 of the instructions to figure your capital loss carryover.

**Part V Tax Computation Using Maximum Capital Gains Rates**

**Form 1041 filers.** Complete this part only if both lines 14a and 15 in column (2) are gains, or an amount is entered in Part I or Part II and there is an entry on Form 1041, line 2b(2), and Form 1041, line 22, is more than zero.

**Caution:** Skip this part and complete the worksheet on page 8 of the instructions if:

- Either line 14b, col (2) or line 14c, col (2) is more than zero, or
- Both Form 1041, line 2b(1), and Form 4952, line 4g are more than zero.

**Form 990-T trusts.** Complete this part only if both lines 14a and 15 are gains, or qualified dividends are included in income in Part I of Form 990-T, and Form 990-T, line 34, is more than zero. Skip this part and complete the worksheet on page 8 of the instructions if either line 14b, col (2) or line 14c, col (2) is more than zero.

<b>17</b> Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34) . . . . .	<b>17</b>				
<b>18</b> Enter the smaller of line 14a or 15 in column (2) but not less than zero . . . . .	<b>18</b>				
<b>19</b> Enter the estate's or trust's qualified dividends from Form 1041, line 2b(2) (or enter the qualified dividends included in income in Part I of Form 990-T) . . . . .	<b>19</b>				
<b>20</b> Add lines 18 and 19 . . . . .	<b>20</b>		0		
<b>21</b> If the estate or trust is filing Form 4952, enter the amount from line 4g; otherwise, enter -0- . . . . .	<b>21</b>		0		
<b>22</b> Subtract line 21 from line 20. If zero or less, enter -0- . . . . .	<b>22</b>		0		
<b>23</b> Subtract line 22 from line 17. If zero or less, enter -0- . . . . .	<b>23</b>		0		
<b>24</b> Enter the smaller of the amount on line 17 or \$2,300 . . . . .	<b>24</b>				
<b>25</b> Is the amount on line 23 equal to or more than the amount on line 24? <input type="checkbox"/> Yes. Skip lines 25 and 26; go to line 27 and check the "No" box. <input type="checkbox"/> No. Enter the amount from line 23 . . . . .	<b>25</b>		0		
<b>26</b> Subtract line 25 from line 24 . . . . .	<b>26</b>		0		
<b>27</b> Are the amounts on lines 22 and 26 the same? <input checked="" type="checkbox"/> Yes. Skip lines 27 thru 30, go to line 31 <input type="checkbox"/> No. Enter the smaller of line 17 or line 22	<b>27</b>				
<b>28</b> Enter the amount from line 26 (If line 26 is blank, enter -0-) . . . . .	<b>28</b>		0		
<b>29</b> Subtract line 28 from line 27 . . . . .	<b>29</b>		0		
<b>30</b> Multiply line 29 by 15% (.15) . . . . .	<b>30</b>				0
<b>31</b> Figure the tax on the amount on line 23. Use the 2010 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041) . . . . .	<b>31</b>				
<b>32</b> Add lines 30 and 31 . . . . .	<b>32</b>				0
<b>33</b> Figure the tax on the amount on line 17. Use the 2010 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041) . . . . .	<b>33</b>				
<b>34</b> Tax on all taxable income. Enter the smaller of line 32 or line 33 here and on Form 1041, Schedule G, line 1a (or Form 990-T, line 36) . . . . .	<b>34</b>				0



<b>Average Monthly FMV of Securities</b>					
<b>Form 990PF - 12/31/2010</b>					
<b>Value of</b>					
<b>Securities</b>		<b>Stock</b>			
<b>on Last</b>		<b>Held for</b>			
<b>Day of the</b>		<b>Entire</b>			
<b>Month</b>		<b>Year</b>	<b>Sales</b>	<b>Purchases</b>	
January		3,364,341			
February		3,454,073			
March		3,569,875			
April		3,605,197			
May		3,519,514		122,706.71	
June		3,497,390	70,000.00		
July		3,714,647		25,000.00	
August		3,708,954			
September		3,836,231			
October		3,898,815			
November		3,852,458			
December		3,814,707	25,877.00	0.00	
<b>Total</b>		<b>43,836,202</b>	<b>95,877.00</b>	<b>147,706.71</b>	<b>3,673,315</b>
<b>Divided by</b>		<b>12</b>	<b>2</b>	<b>2</b>	
<b>Avg Mo FMV</b>		<b>3,653,017</b>	<b>47,939</b>	<b>73,853</b>	<b>3,678,932</b>
<b>Without prorating the value Sales &amp; Purchases in the Month they were acquired or sold,</b>					
<b>the FMV would be overstated,</b>	<b>43,836,202</b>				
<b>Purchases</b>	<b>147,707</b>				
<b>Sales</b>	<b>(95,877)</b>				
	<b>43,888,032</b>				
	<b>12</b>				
	<b>3,657,336</b>				

<b>Form 990 PF-12/31/2010</b>			
<b>Average Monthly Cash Balance</b>			
	<b>Compass Bank</b>		<b>Merrill Lynch</b>
	<b>First Day</b>	<b>Last Day</b>	
January	13,519.00	165.59	139,375.00
February	165.59	2,036.68	150,044.00
March	2,036.68	2,033.68	175,204.00
April	2,033.68	2,030.68	200,880.00
May	2,030.38	2,505.68	213,221.00
June	2,505.68	172,122.68	110,637.00
July	172,122.68	2,517.29	34,104.00
August	2,517.29	2,211.77	21,946.00
September	2,211.77	1,558.77	52,982.00
October	1,558.77	1,555.77	78,342.00
November	1,555.77	1,476.77	90,398.00
December	1,476.77	20,618.77	119,319.00
	203,734.06	210,834.13	1,386,452.00
Average		207,284.10	1,343,504.50
Average Monthly Cash Balance		17,273.67	111,958.71

**Line 16b (990-PF) - Accounting Fees**

		2,500	1,250	0	1,250
	Name of Organization or Person Providing Service	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes (Cash Basis Only)
1	Suzanne J Donisi CPA	2,500	1,250		1,250
2					
3					
4					
5					
6					
7					
8					
9					
10					

**Line 18 (990-PF) - Taxes**

		Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
1	2010-990PF (4x339)	1,356			
2	2010-990T (4x291)	1,164			
3	Income tax-2009 PF	696			
4					
5					
6					
7					
8					
9					
10					
		3,216	0	0	0

**Line 23 (990-PF) - Other Expenses**

	Description	442 Revenue and Expenses per Books	221 Net Investment Income	0 Adjusted Net Income	221 Disbursements for Charitable Purposes
1	Amortization. See attached statement	235	118	0	117
2	Broker's Annual Fee	80	40		40
3	Miscellaneous	17	8		9
4	Bank Fees	36	18		18
5	Postage	44	22		22
6	Office Supply	30	15		15
7					
8					
9					
10					

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

	Description	Num. Shares/ Face Value	Book Value Beg. of Year	Book Value End of Year	FMV Beg. of Year	FMV End of Year
1	Delta Air Lines Inc	121	0	0	0	1,525
2	Cohen & Steers REIT & Pfd In Fd	3,000	65,507	65,507	31,050	42,870
3	Cohen & Steers Select Infrastructure Fd/FKA	9,182	233,379	233,379	132,750	150,768
4	Cohen & Steers Quality In Realty Fd	4,682	75,000	75,000	28,420	40,499
5			0		0	
6	Suburban Propane Partners LP	2,500	36,043	36,915	117,700	140,225
7	Buckeye Partners LP	4,000	-16,970	-19,749	217,800	267,320
8	Boardwalk Pipeline Ptnrs	1,750	0	44,809	0	54,478
9	Kinder Morgan Energy Partners	2,000	34,605	11,191	121,960	140,520
10	Enterprise Products Partners LP	5,720	37,282	18,681	179,665	238,009
11	Plains All American Pipeline Ip	1,000	47,379	43,295	52,850	62,790
12						
13	Pimco Hi Income	5,529	82,662	82,662	59,999	70,285
14	Chartwell Div & Inc	7,000	104,916	104,916	26,390	29,889
15	Blackrock Hi Yld Bd	16,033	200,014	200,014	112,397	122,819
16						
17	ING Clarion Global Real Estate Income Fd	4,785	76,778	76,778	30,484	37,089
18	Calamos Strat Tot Ret	6,336	94,108	94,108	55,501	58,674
19	Blackrock Corp HY FD III	14,000	200,765	200,765	88,900	94,780
20	Blackrock Corp Hy Fd V	4,302	64,500	64,500	45,085	49,645
21	Western Asset High Income Fd II Inc	26,666	399,990	399,990	244,247	249,860
22						
23	HCP Inc	1,000	17,400	17,400	30,540	36,790
24	Preferred Plus Tr ELP-1 El Paso Corp Cl-A	1,000	25,000	0	23,050	0
25	Blackrock LTD DUR Inc	4,000	79,801	79,801	58,640	65,200
26	Blackrock Credit Allocation	2,197	53,557	53,557	20,616	21,606
27	Western Asset Emrgng Mkts Debt Fd	3,000	60,000	60,000	52,080	54,930
28	Tortoise MLP FD Inc	1,000	0	25,000	0	24,240
29						
30	Columbia HI Y Bond Fd A	113,450	900,027	900,027	299,508	315,392
31	AllianceBernstein Hi I Fd	6,255	103,300	103,300	52,675	56,679
32	Blackrock Hi In Fd Instl	3,129	25,001	25,001	13,611	14,988
33						
34						
35						
36						
37						
38						
39						
40						

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

		1,517,880						1,248,422		1,372,838	
	Description	Interest Rate	Maturity Date	Book Value Beg. of Year	Book Value End of Year	FMV Beg. of Year	FMV End of Year				
1	Ford Capital	9.50%	6/1/2010	70,167	0	71,400	0				
2	Federal Express	9.65%	6/15/2012	35,076	35,046	40,496	39,132				
3	R J Reynolds Tobacco	9.25%	8/15/2013	50,137	50,100	54,722	55,405				
4	Valero Energy Corp	6.12%	2/1/2020	0	74,455	0	74,345				
5	NM Bank America	6.65%	11/15/2026	50,000	50,000	48,627	49,094				
6	Duke Realty Corp	6.50%		150,000	150,000	113,100	132,840				
7	CBS Corp Sr Notes	6.75%	3/27/2056	50,000	50,000	42,180	50,540				
8											
9	General Motors Notes	7.25%	4/15/2041	50,000	50,000	10,400	15,900				
10	Fifth Third Cap Tr V	7.25%	8/15/2067	50,000	50,000	40,900	49,760				
11	PPL Capital Funding Inc	6.85%	7/1/2047	50,000	50,000	51,180	51,180				
12	Public Storage Inc	6.63%		40,000	40,000	37,264	39,936				
13	Royal Bank Scotland Grp	7.25%		62,500	62,500	29,725	40,400				
14	General Motors Corp Sr Notes	7.25%	2/15/2052	100,000	100,000	20,400	31,800				
15	Everest RE Cap Tr II	6.20%	3/29/2034	75,000	75,000	61,560	66,780				
16											
17	Public Storage Pfd Stk Ser D	6.18%		75,000	75,000	64,110	71,520				
18	Preferred+ Tr Verizon-1 Global Fd	7.63%	12/1/2030	50,000	50,000	50,860	51,620				
19	Public Storage Inc	7.00%		35,000	35,000	33,656	35,266				
20	Repsol Intl Capital Ltd	7.45%		75,000	75,000	75,750	77,040				
21	Delta Airlines Escrow 121#	8.12%	7/1/2039	0		0					
22											
23	Lincoln National Corp Cap Securities	6.75%	4/20/2066	50,000	50,000	45,720	50,280				
24	Public Storage DEP SHS Rep	6.75%		25,000	25,000	23,150	24,900				
25	Public Storage Inc	7.25%		75,000	75,000	76,500	75,930				
26	Regency Centers Corp New Money Ser D	7.25%		25,000	25,000	23,010	24,480				
27	Weingarten Realty Series F	6.50%		25,000	25,000	20,750	23,300				
28											
29	Fifth Third Cap Trust V	7.25%	8/15/2067	25,000	25,000	20,450	24,880				
30	Preferred+ Tr Ver1Verizon Global Fd	7.63%	12/1/2030	25,000	25,000	25,430	25,810				
31	PPlus TR Series RRD-1	6.30%	4/15/2029	50,000	50,000	36,820	45,200				
32	PPlus Trust Series LTD	6.70%	3/1/2033	50,000	50,000	36,540	45,900				
33	Axis Capital Holdings Pfd Stk	7.25%		15,000	15,000	13,680	15,030				
34	Countrywide Capital V Cum Cap	7.00%	11/1/2036	25,000	25,000	21,650	24,600				
35	General American Investr Ser B	5.95%		35,000	35,000	34,342	34,930				
36	JP Morgan Chase Cap XIV Tr	6.20%	10/15/2034	25,000	25,000	24,050	25,040				
37											
38											
39											
40											
41											
42											
43											
44											

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

	Date		Amount
1 Credit from prior year return . . . . .		1	0
2 First quarter estimated tax payment . . . . .	5/10/2010	2	339
3 Second quarter estimated tax payment . . . . .	8/7/2010	3	339
4 Third quarter estimated tax payment . . . . .	9/7/2010	4	339
5 Fourth quarter estimated tax payment . . . . .	12/6/2010	5	339
6 Other payments . . . . .		6	
7 Total . . . . .		7	1,356



**Part VIII, Line 1 (990-PF) - Compensation of Officers, Directors, Trustees and Foundation Managers**

	Name	Check "X" if Business	Street	City	State	Zip Code	Foreign Country	Title	Average Hours
1	Terese T Hershey		1 Longbow Lane	Houston	TX	77024		President	1,500
2	Ann Hamilton		332 W 32nd St	Houston	TX	77018		Vice-President	500
3	Andrew H Sansom		601 University Dr	San Marcos	TX	78666		Treasurer	250
4	Amie Rodnick		507 W 7th St	Austin	TX	78701		Secretary	125
5	Olive Hershey		2415 Yupon	Houston	TX	77006		Director	24
6	Jeffrey Hershey		1504 W 31st St	Austin	TX	78703		Director	24
7	Arthur L Storey, Jr		1001 Preston, 5th Flor	Houston	TX	77002		Director	24
8									
9									
10									

**Part VIII, Line 1 (990-PF) - Compensation of Officers, Directors, Trustees and Foundation Managers**

	0	0	0	0
	Compensation	Benefits	Expense Account	Explanation
1	0	0	0	
2	0	0	0	
3	0	0	0	
4	0	0	0	
5	0	0	0	
6	0	0	0	
7	0	0	0	
8				
9				
10				

**Line 11 (990-PF) - Other Income**

		1,301	1,301	0
	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income
1	Buckeye Partners, LP-Income	44,743	0	
2	Buckeye Partners, LP-Expenses	-30,430	14,313	
3	Kinder Morgan Energy Partners, LP-In	82,468	0	
4	Kinder Morgan Energy Partners, LP-Exp	-94,784	-12,316	
5	Suburban Propane Partners LP-Income	31,253	0	
6	Suburban Propane Partners LP-Expens	-22,578	8,675	
7			0	
8			0	
9	Enterprise Products Partners LP-Income	296,604	0	
10	Enterprise ProductsPartners LP-Expens	-301,929	-5,325	
11	Plains All American Pipeline LP-Incom	364,584	0	
12	Plains All American Pipeline LP-Expens	-366,859	-2,275	
13	Boardwalk Pipeline Partners LP-Income	6,001	0	
14	Boardwalk Pipeline Partners LP-Expense	-7,772	-1,771	
15			0	
16			0	
17			0	

# ***Hershey Foundation Gifts and Addresses, 2010***

## ***Organization Amount Given***

Animal Campus at Gragg Park Capital Campaign, 2726 Bissonnet #240-245, Houston, TX, 77005	\$2,000 00
Armand Bayou Nature Center, P.O. Box 58828, Houston, TX, 77258	\$2,000 00
Audubon Texas, A state office of Audubon, a national organization., 2904 Swiss Avenue, Dallas, TX, 75204	\$5,000 00
Austin Parks Foundation, 816 Congress, Suite 1680, Austin, TX, 78701	\$3,500.00
Austin Public Television KLRU, P.O. Box 7158, Austin, TX, 78713	\$3,000 00
Bayou Land Conservancy/fka Legacy L.T., 10330 Lake Road Bldg. J, Houston, TX, 77070	\$5,000.00
Bayou Preservation Association, P.O. Box 131563, Houston, TX, 77219	\$5,000.00
Blueprint Houston, 3015 Richmond, Suite 201, Houston, TX, 77098	\$4,000.00
Buffalo Bayou Partnership, 1113 Vine Street, Suite 200, Houston, TX, 77002	\$3,000.00
Camp for All Foundation, 10500 Northwest Freeway, Suite 145, Houston, TX, 77092	\$1,000.00
Center for Reproductive Rights, 120 Wall Street, New York, NY, 10005	\$5,000 00
Chinquapin School (The), 2615 East Wallisville, Highlands, TX, 77562	\$3,000.00
Citizens Environmental Coalition Ed. Fund, 6420 Richmond Ave, Suite 658, Houston, TX, 77057	\$5,000 00
Colorado Environmental Coalition, 1536 Wynkoop Street, Suite 5C, Denver, CO, 80202	\$1,250 00
Colorado Wild!, P.O. Box 2434, Durango, CO, 81302	\$2,500 00
Conference of Southwest Foundations, 3102 Maple Avenue, #260, Dallas, TX, 75201	\$350 00
Conservation Fund/Texas Program, P.O. Box 4608, 2900 Raguet Street, Nacogdoches, TX, 75962-4608	\$3,000 00
Defenders of Wildlife, 1130 17th Street, N.W., Washington, DC, 20036	\$1,000.00
Earthjustice, 426 17th Street, 6th Floor, Oakland, CA, 94612-2820	\$5,000.00
Environment Texas Research and Policy Center/TexPIRG, 815 Brazos, Suite 600B, Austin, TX, 78701	\$4,500.00
Environmental Defense Fund - Texas, 44 East Ave, Ste 304, Austin, TX, 78701	\$4,000.00
Environmental Stewardship, P.O. Box 1423, Bastrop, TX, 78602	\$5,000 00
Forest Service Employees for Environmental Ethics, Box 11615, Eugene, OR, 97440	\$1,000 00
Friends of Houston Public Library, 500 McKinney, Houston, TX, 77002	\$3,000.00
Friends of Mandell Park, P.O. Box 66551, Houston, TX, 77266-0551	\$4,500 00
Galveston Bay Foundation, 17324 A Highway 3, Webster, TX, 77598	\$5,000 00
Great Plains Restoration Council, P.O. Box 1206, Fort Worth, TX, 76101	\$5,000.00
Gulf Coast Bird Observatory, 103 W. Hwy 332, Lake Jackson, TX, 77566	\$3,000.00
Hana & Arthur Ginzburg Nature Discovery Center, 7112 Newcastle, Bellaire, TX, 77401	\$3,000.00
Hawk Watch International, 2240 South 900 E, Salt Lake City, UT, 84106	\$2,500 00
Hermann Park Conservancy, Hermann Park Board, 6201-A Golf Course Drive, Houston, TX, 77030	\$5,000.00
Hill Country Conservancy, P.O. Box 163125, Austin, TX, 78716	\$2,000.00
Hill Country Land Trust, P.O. Box 1724, Fredericksburg, TX, 78624	\$5,000.00

### ***Organization Amount Given***

Houston Arboretum and Nature Center, 4501 Woodway Drive, Houston, TX, 77024	\$2,000 00
Houston Audubon, 440 Wilchester, Houston, TX, 77079	\$5,000.00
Houston Museum of Natural Science Education Fund, 1 Hermann Circle Drive, Houston, TX, 77030	\$5,000 00
Houston Parks Board, Inc., 300 North Post Oak Lane, Houston, TX, 77024	\$5,000.00
Houston Public Radio, University of Houston, P.O. Box 988, Houston, TX, 77001	\$1,000.00
Houston Public Television, 4343 Elgin, Houston, TX, 77004-0008	\$1,000 00
Houston SPCA, 900 Portway Drive, Houston, TX, 77024	\$5,000.00
Houston Tomorrow, 3015 Richmond, Suite 201, Houston, TX, 77098	\$3,500.00
Houston Wilderness, P.O. Box 66413, Houston, TX, 77266-6413	\$3,000 00
Humane Society of Pagosa Springs, P.O. Box 2230, Pagosa Sprngs, CO, 81147	\$5,000 00
Humane Society-Houston, P.O. Box 450528, Houston, TX, 77245	\$4,000.00
Inland Northwest Land Trust, 35 West Main, #210, Spokane, WA, 99201	\$5,000.00
International Crane Foundation, E-11376 Shady Lane Road, P O. Box 447, Baraboo, WI, 53913	\$5,000 00
Jane's Due Process, P.O. Box 685137, Austin, TX, 78768-5137	\$2,750 00
Katy Prairie Conservancy, 3015 Richmond Ave., Suite 230, Houston, TX, 77098-6135	\$5,000.00
LWV of Texas Education Fund, 1212 Guadalupe, Suite 107, Austin, TX, 78701	\$750.00
Meals On Wheels and More, P.O. Box 6248, Austin, TX, 78762	\$3,250.00
Memorial Park Conservancy, P O. Box 131024, Houston, TX, 77219	\$4,000 00
National Parks Conservation Assn./Texas, 2904 Swiss Avenue, Dallas, TX, 75204	\$1,500.00
National Wildlife Federation, Gulf States Natural Resource Center, 44 East Avenue, Suite 200, Austin, TX, 78701	\$5,000 00
Natural Resources Defense Council, 40 W. 20th St., New York, NY, 10011	\$1,000 00
People's Community Clinic, 2909 North IH-35, Austin, TX, 78722	\$3,500 00
Peregrine Fund (The), 5668 West Flying Hawk Lane, Boise, ID, 83709	\$2,000 00
Planned Parenthood Gulf Coast, Inc , 4600 Gulf Freeway, Houston, TX, 77023	\$5,000 00
Planned Parenthood of the Texas Capital Region, Inc., 210 East Ben White Blvd., Bldg. B, Austin, TX, 78704	\$5,000.00
Population Connection, 2120 L Street NW, Suite 500, Washington, DC, 20037	\$500.00
Progressive Forum (The), 4826 Palmetto, Bellaire, TX, 77401-3414	\$2,500 00
Public Citizen Texas, 1303 San Antonio St , Austin, TX, 78701	\$5,000.00
Ruby M Sisson Memorial Library, P O. Box 849, Pagosa Sprngs, CO, 81147	\$5,000 00
Saint Francis Wildlife Rehabilitation, P.O. Box 1929, Arboles, CO, 81121	\$2,000 00
San Juan Historical Society and Museum, P O Box 1711, Pagosa Springs, CO, 81147	\$2,000.00
Save Barton Creek Association, P.O. Box 5923, Austin, TX, 78763-5923	\$1,000 00
Sea Turtle Restoration Project, P O. Box 681231, Houston, TX, 77268	\$5,000 00
Shaggy Dog Rescue, 4337 Banks, Houston, TX, 77006	\$1,000 00
Southwest Land Alliance, P.O. Box 3417, Pagosa Springs, CO, 81147	\$5,000 00

### ***Organization Amount Given***

Spay-Neuter Assistance Program, Box 70286, Houston, TX, 77270	\$2,000 00
Special Pals, 3830 Greenhouse Road, Houston, TX, 77084	\$3,000 00
St. Francis Episcopal Day School, 335 Piney Point Road, Houston, TX, 77024	\$2,000.00
Student Conservation Association, 1800 North Kent Street, Suite 102, Arlington, VA, 22209	\$1,500.00
Sustainable Food Center, 1106 Clayton Lane, Suite 480W, Austin, TX, 78723	\$3,500 00
Texas Coalition for Conservation, 8812 Mesa Drive, Austin, TX, 78759	\$5,000 00
Texas Coastal Partners, 1815 Madison Avenue, Austin, TX, 78757	\$5,000.00
Texas Land Conservancy (NAPA), P.O. Box 162481, Austin, TX, 78716-2481	\$1,000 00
Texas Land Trust Council, 1300 West Lynn St., Suite 104, Austin, TX, 78703	\$3,500.00
Texas Rice Industry Coalition for the Environment, P.O. Box 644, Pierce, TX, 77467	\$3,000.00
The Texas Democracy Foundation, 307 West 7th Street, Austin, TX, 78701	\$5,000 00
Trees for Houston, 4550 Post Oak Place Drive, Suite 310, Houston, TX, 77027-3130	\$3,000.00
UH Center for Public History, Houston History Archives Repository, Suite 261 Special Collections Dept , M.D. Anderson Library, Houston, TX, 77204-2000	\$5,000.00
Urban Harvest, One Americas Plaza, 2311 Canal, Suite 122, Houston, TX, 77003	\$5,000.00
Weminuche Audubon Society, P.O. Box 4060, Pagosa Springs, CO, 81147	\$5,000.00
Western Rivers Conservancy, 71 SW Oak Street, Portland, OR, 97204	\$4,000 00
Wildlife Rehab and Education, 7007 Old Katy Road, Houston, TX, 77024	\$1,000 00
Wildlife Rescue & Rehabilitation, Inc., 335 Old Blanco Rd , Kendalia, TX, 78027	\$5,000 00
Wildlife Rescue, Inc , P.O. Box 806, Austin, TX, 78767	\$1,500.00
World Wildlife Fund, 1250 Twenty-Fourth St., NW, Washington, DC, 20037-1132	\$1,000.00
Writers in the Schools, 1523 West Main, Houston, TX, 77006	\$3,250.00
YOUTHLaunch, Inc., 7756 Northcross Drive, Suite 203, Austin, TX, 78757	\$1,500 00

**\$299,100.00**