



See a Social Security Number? Say Something!
Report Privacy Problems to <https://public.resource.org/privacy>
Or call the IRS Identity Theft Hotline at 1-800-908-4490



Form **990-PF**Department of the Treasury
Internal Revenue Service**Return of Private Foundation**
or Section 4947(a)(1) Nonexempt Charitable Trust

OMB No 1545-0052

Treated as a Private Foundation

2010**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

06/01, 2010, and ending

05/31, 2011

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

HERMAN A & CARRIE S EBERT TRUST U/W

A Employer identification number

23-6787100

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)

ONE M & T PLAZA, 8TH FLOOR

(716) 842-5506

City or town, state, and ZIP code

BUFFALO, NY 14203

C If exemption application is pending, check here ☐D 1 Foreign organizations, check here ☐2 Foreign organizations meeting the 85% test, check here and attach computation ☐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 ☐Check type of organization ☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

Fair market value of all assets at end

J Accounting method: ☒ Cash ☐ Accrual

of year (from Part II, col. (c), line

☐ Other (specify) _____

16) \$ 510,932.

(Part I, column (d) must be on cash basis.)

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)

1 Contributions, gifts, grants, etc., received (attach schedule)

2 Check ☐ if the foundation is not required to attach Sch B

3 Interest on savings and temporary cash investments

4 Dividends and interest from securities

9,451.

9,500.

STMT 1

5a Gross rents

b Net rental income or (loss)

6a Net gain or (loss) from sale of assets not on line 10

10,468.

b Gross sales price for all assets on line 6a 149,758.

7 Capital gain net income (from Part IV, line 2)

10,468.

8 Net short-term capital gain

9 Income modifications

10 a Gross sales less returns and allowances

b Less Cost of goods sold

c Gross profit or (loss) (attach schedule)

11 Other income (attach schedule)

12 Total. Add lines 1 through 11

19,919.

19,968.

13 Compensation of officers, directors, trustees, etc.

4,948.

4,948.

14 Other employee salaries and wages

NONE

NONE

15 Pension plans, employee benefits

NONE

NONE

16a Legal fees (attach schedule)

b Accounting fees (attach schedule)

c Other professional fees (attach schedule)

17 Interest

18 Taxes (attach schedule) (see page 14 of the instructions)

227.

220.

19 Depreciation (attach schedule) and depletion

20 Occupancy

21 Travel, conferences, and meetings

NONE

NONE

22 Printing and publications

NONE

NONE

23 Other expenses (attach schedule)

24 Total operating and administrative expenses.

Add lines 13 through 23

5,175.

5,168.

NONE

25 Contributions, gifts, grants paid

19,331.

19,331.

26 Total expenses and disbursements. Add lines 24 and 25

24,506.

5,168.

NONE

19,331.

27 Subtract line 26 from line 12

a Excess of revenue over expenses and disbursements

-4,587.

b Net investment income (if negative, enter -0-)

14,800.

c Adjusted net income (if negative, enter -0-)

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

JSA

Form 990-PF (2010)

OE1410 1 000

KA6798 L700 09/14/2011 14:24:15

1201607000

4

SCANNED OCT 18 2011

Revenue

Operating and Administrative Expenses

POSTMARK DATE

OCT 05 2011

RECEIVED

OCT 11 2011

IRS-CSC

OSSEN, UT.

STMT 2

JNE

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)		Beginning of year	End of year	
				(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash - non-interest-bearing				
	2	Savings and temporary cash investments		14,513.	5,369.	5,369.
	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 (attach schedule) (see page 15 of the instructions)				
	7	Other notes and loans receivable (attach schedule)				
		Less: allowance for doubtful accounts	NONE			
	8	Inventories for sale or use				
	9	Prepaid expenses and deferred charges				
	10 a	Investments - U S and state government obligations (attach schedule)				
	b	Investments - corporate stock (attach schedule)				
	c	Investments - corporate bonds (attach schedule)				
	11	Investments - land, buildings, and equipment basis				
	Less: accumulated depreciation (attach schedule)					
12	Investments - mortgage loans					
13	Investments - other (attach schedule) STMT 3.		436,141.	440,696.	505,563.	
14	Land, buildings, and equipment basis					
	Less: accumulated depreciation (attach schedule)					
15	Other assets (describe)					
16	Total assets (to be completed by all filers - see the instructions Also, see page 1, item I)		450,654.	446,065.	510,932.	
Liabilities	17	Accounts payable and accrued expenses				
	18	Grants payable				
	19	Deferred revenue				
	20	Loans from officers, directors, trustees, and other disqualified persons				
	21	Mortgages and other notes payable (attach schedule)				
	22	Other liabilities (describe)				
23	Total liabilities (add lines 17 through 22)					
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ☐					
	and complete lines 24 through 26 and lines 30 and 31.					
	24	Unrestricted				
	25	Temporarily restricted				
	26	Permanently restricted				
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. ☒					
	27	Capital stock, trust principal, or current funds		450,654.	446,065.	
	28	Paid-in or capital surplus, or land, bldg, and equipment fund				
	29	Retained earnings, accumulated income, endowment, or other funds				
30	Total net assets or fund balances (see page 17 of the instructions)		450,654.	446,065.		
31	Total liabilities and net assets/fund balances (see page 17 of the instructions)		450,654.	446,065.		

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	450,654.
2	Enter amount from Part I, line 27a	2	-4,587.
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	446,067.
5	Decreases not included in line 2 (itemize) SEE STATEMENT 5	5	2.
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	446,065.

Form **990-PF** (2010)

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co.)			(b) How acquired P-Purchase D-Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a SEE PART IV DETAIL					
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					
e					
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))		
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any			
a					
b					
c					
d					
e					
2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }			2	10,468.	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions). If (loss), enter -0- in Part I, line 8.			3		

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

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

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

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

☐ Yes ☒ No

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

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

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2009	17,989.	438,454.	0.04102824926
2008	16,044.	394,927.	0.04062522947
2007	27,096.	545,729.	0.04965101726
2006	27,380.	529,298.	0.05172889374
2005	26,560.	519,899.	0.05108684571
2 Total of line 1, column (d)			2 0.23412023544
3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years			3 0.04682404709
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5			4 475,996.
5 Multiply line 4 by line 3			5 22,288.
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 148.
7 Add lines 5 and 6			7 22,436.
8 Enter qualifying distributions from Part XII, line 4 If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions on page 18			8 19,331.

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

1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1			
Date of ruling or determination letter _____ (attach copy of ruling letter if necessary - see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☐ and enter 1% of Part I, line 27b		1	296.
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	
3 Add lines 1 and 2		3	296.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	NONE
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	296.
6 Credits/Payments:			
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a		
b Exempt foreign organizations-tax withheld at source	6b	NONE	
c Tax paid with application for extension of time to file (Form 8868)	6c	NONE	
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7		NONE
8 Enter any penalty for underpayment of estimated tax. Check here ☐ if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		296.
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10		
11 Enter the amount of line 10 to be Credited to 2011 estimated tax ☐ Refunded ☐	11		

Part VII-A Statements Regarding Activities

	Yes	No
1a 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 ☐ \$ _____ (2) On foundation managers ☐ \$ _____		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☐ \$ _____		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS?		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
4a 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?		
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	
8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ☐ STMT 6		
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)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

Form 990-PF (2010)

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? Website address <u>N/A</u>	13	X	
14	The books are in care of <u>MANUFACTURERS & TRADERS TRUST CO</u> Telephone no <u>(716) 842-5506</u> Located at <u>ONE M & T PLAZA 8TH FLR, BUFFALO, NY</u> ZIP + 4 <u>14203</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year <u>15</u>			
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 <u></u>	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
1a	During the year did the foundation (either directly or indirectly):		
(1)	Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No		
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No		
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No		
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No		
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No		
(6)	Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days) ☐ Yes ☒ No		
1b	If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here ☐	1b	
1c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010?	1c	X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)).		
a	At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010? ☐ Yes ☒ No If "Yes," list the years <u></u>		
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	X
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. <u></u>		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No		
b	If "Yes," did it have excess business holdings in 2010 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2010)	3b	
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010?	4b	X

Form 990-PF (2010)

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)? ☐ Yes ☒ No
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
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

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 STATEMENT 7		4,948.	-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		NONE	NONE	NONE

Total number of other employees paid over \$50,000 ☐ NONE

Form 990-PF (2010)

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		NONE
Total number of others receiving over \$50,000 for professional services		NONE

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 NONE	
Total. Add lines 1 through 3	

Form 990-PF (2010)

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a	Average monthly fair market value of securities	1a	471,846.
b	Average of monthly cash balances	1b	11,399.
c	Fair market value of all other assets (see page 25 of the instructions)	1c	NONE
d	Total (add lines 1a, b, and c)	1d	483,245.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	
2	Acquisition indebtedness applicable to line 1 assets	2	NONE
3	Subtract line 2 from line 1d	3	483,245.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions)	4	7,249.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	475,996.
6	Minimum investment return. Enter 5% of line 5	6	23,800.

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

1	Minimum investment return from Part X, line 6	1	23,800.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	296.
b	Income tax for 2010. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	296.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	23,504.
4	Recoveries of amounts treated as qualifying distributions	4	NONE
5	Add lines 3 and 4	5	23,504.
6	Deduction from distributable amount (see page 25 of the instructions)	6	NONE
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	23,504.

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

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	19,331.
b	Program-related investments - total from Part IX-B	1b	
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	NONE
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	NONE
b	Cash distribution test (attach the required schedule)	3b	NONE
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	19,331.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	N/A
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	19,331.

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

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

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				23,504.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only			15,126.	
b Total for prior years 20 <u>08</u> , 20 <u> </u> , 20 <u> </u>		NONE		
3 Excess distributions carryover, if any, to 2010				
a From 2005	NONE			
b From 2006	NONE			
c From 2007	NONE			
d From 2008	NONE			
e From 2009	NONE			
f Total of lines 3a through e	NONE			
4 Qualifying distributions for 2010 from Part XII, line 4: ▶ \$ <u>19,331.</u>				
a Applied to 2009, but not more than line 2a			15,126.	
b Applied to undistributed income of prior years (Election required - see page 26 of the instructions)		NONE		
c Treated as distributions out of corpus (Election required - see page 26 of the instructions)	NONE			
d Applied to 2010 distributable amount				4,205.
e Remaining amount distributed out of corpus	NONE			
5 Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a))	NONE			NONE
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	NONE			
b Prior years' undistributed income. Subtract line 4b from line 2b		NONE		
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		NONE		
d Subtract line 6c from line 6b Taxable amount - see page 27 of the instructions		NONE		
e Undistributed income for 2009. Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions				
f Undistributed income for 2010. Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011.				19,299.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)	NONE			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7 (see page 27 of the instructions)	NONE			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	NONE			
10 Analysis of line 9:				
a Excess from 2006	NONE			
b Excess from 2007	NONE			
c Excess from 2008	NONE			
d Excess from 2009	NONE			
e Excess from 2010	NONE			

Form 990-PF (2010)

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9) **NOT APPLICABLE**

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

b Check box to indicate whether the foundation is a private operating foundation described in section

4942(j)(3) or

4942(j)(5)

2a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed

Tax year

Prior 3 years

(e) Total

(a) 2010

(b) 2009

(c) 2008

(d) 2007

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 page 28 of the instructions.)**1 Information Regarding Foundation Managers:**

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

SEE ATTACHED DETAIL

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.

SEE ATTACHED DETAIL

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

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

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

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

c Any submission deadlines:

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

Part XV **Supplementary Information** (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient	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)				
<i>a Paid during the year</i>				
SEE STATEMENT 9				
Total			▶ 3a	19,331.
<i>b Approved for future payment</i>				
Total			▶ 3b	

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis	Gain or (loss)	
		TOTAL SHORT-TERM CAPITAL GAIN DIVIDENDS				721.	
		TOTAL LONG-TERM CAPITAL GAIN DIVIDENDS				1,305.	
4,637.00		322.469 LSV VALUE EQUITY FUND PROPERTY TYPE: SECURITIES 3,837.00				02/11/2010 800.00	02/10/2011
646.00		43.398 LSV VALUE EQUITY FUND PROPERTY TYPE: SECURITIES 516.00				02/11/2010 130.00	04/08/2011
1,013.00		148. ALPINE GLOBAL PREMIER PPTYS PROPERTY TYPE: SECURITIES 1,067.00				11/17/2010 -54.00	02/10/2011
1.00		.1041 ALPINE GLOBAL PREMIER PPTYS PROPERTY TYPE: SECURITIES 1.00				11/17/2010	02/17/2011
1,205.00		172. ALPINE GLOBAL PREMIER PPTYS PROPERTY TYPE: SECURITIES 1,240.00				11/17/2010 -35.00	04/08/2011
832.00		37.627 ALPINE INTL REAL ESTATE EQ FD PROPERTY TYPE: SECURITIES 601.00				10/13/2008 231.00	07/27/2010
340.00		15.36 ALPINE INTL REAL ESTATE EQ FD PROPERTY TYPE: SECURITIES 326.00				02/11/2010 14.00	07/27/2010
13,069.00		512.921 ALPINE INTL REAL ESTATE EQ FD PROPERTY TYPE: SECURITIES 6,052.00				11/19/2008 7,017.00	11/17/2010
431.00		25.236 DREYFUS INTL BOND FD -I PROPERTY TYPE: SECURITIES 407.00				09/24/2009 24.00	11/17/2010
1,104.00		27.342 GUINNESS ATKINSON - CHINA & HK FD PROPERTY TYPE: SECURITIES 598.00				10/13/2008 506.00	11/17/2010

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis	Gain or (loss)	
222.00		5.495 GUINNESS ATKINSON - CHINA & HK FD PROPERTY TYPE: SECURITIES 120.00				10/13/2008 102.00	04/08/2011
322.00		9.226 GUINNESS ATKINSON - GLBL ENERGY FD PROPERTY TYPE: SECURITIES 295.00				02/10/2011 27.00	04/08/2011
2,082.00		38.897 HARBOR INTERNATIONAL FUND #11 PROPERTY TYPE: SECURITIES 1,452.00				04/17/2009 630.00	07/27/2010
824.00		14.102 HARBOR INTERNATIONAL FUND #11 PROPERTY TYPE: SECURITIES 527.00				04/17/2009 297.00	11/17/2010
2,877.00		46.671 HARBOR INTERNATIONAL FUND #11 PROPERTY TYPE: SECURITIES 1,743.00				04/17/2009 1,134.00	02/10/2011
171.00		2.631 HARBOR INTERNATIONAL FUND #11 PROPERTY TYPE: SECURITIES 98.00				04/17/2009 73.00	04/08/2011
22,011.00		635.78 HARBOR CAPITAL APPRECIATION FUND PROPERTY TYPE: SECURITIES 21,197.00				10/16/2008 814.00	11/17/2010
1,472.00		184. ING CLARION GLOBAL R/E INCOME FD PROPERTY TYPE: SECURITIES 1,404.00				11/17/2010 68.00	02/10/2011
1,139.00		142. ING CLARION GLOBAL R/E INCOME FD PROPERTY TYPE: SECURITIES 1,084.00				11/17/2010 55.00	04/08/2011
664.00		43.174 T ROWE PRICE INST L/C GROWTH PROPERTY TYPE: SECURITIES 607.00				10/27/2006 57.00	11/17/2010
1,327.00		75.882 T ROWE PRICE INST L/C GROWTH PROPERTY TYPE: SECURITIES 1,068.00				10/27/2006 259.00	02/10/2011

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				P or D	Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis		Gain or (loss)	
517.00		25.147 LAZARD EMERGING MARKETS PORTFOLIO PROPERTY TYPE: SECURITIES 594.00					08/10/2007 -77.00	09/27/2010
903.00		42.98 LAZARD EMERGING MARKETS PORTFOLIO- PROPERTY TYPE: SECURITIES 1,016.00					08/10/2007 -113.00	11/17/2010
1,034.00		46.193 LAZARD EMERGING MARKETS PORTFOLIO PROPERTY TYPE: SECURITIES 1,092.00					08/10/2007 -58.00	04/08/2011
387.00		25.768 MFS EMERGING MARKETS DEBT FD-CL I PROPERTY TYPE: SECURITIES 359.00					09/24/2009 28.00	11/17/2010
6,471.00		447.849 MTB SM CAP GRWTH-INST I-FD #555 PROPERTY TYPE: SECURITIES 11,696.00					12/04/2006 -5,225.00	11/17/2010
2,007.00		114.878 MTB SM CAP GRWTH-INST I-FD #555 PROPERTY TYPE: SECURITIES 2,518.00					08/27/2007 -511.00	02/10/2011
569.00		31.278 MTB SM CAP GRWTH-INST I-FD #555 PROPERTY TYPE: SECURITIES 621.00					08/27/2007 -52.00	04/08/2011
2,225.00		141.087 MTB MID CAP GRWTH-INST I-FD #401 PROPERTY TYPE: SECURITIES 1,800.00					02/12/2008 425.00	02/10/2011
277.00		17.252 MTB MID CAP GRWTH-INST I-FD #401 PROPERTY TYPE: SECURITIES 220.00					02/12/2008 57.00	04/08/2011
14,082.00		1436.955 MTB LGE CAP VAL-INST I #327 PROPERTY TYPE: SECURITIES 15,289.00					10/13/2004 -1,207.00	11/17/2010
1,881.00		171.142 MTB LGE CAP VAL-INST I #327 PROPERTY TYPE: SECURITIES 1,821.00					10/13/2004 60.00	02/10/2011

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis	Gain or (loss)	
205.00		18.178 MTB LGE CAP VAL-INST I #327 PROPERTY TYPE: SECURITIES 193.00				10/13/2004 12.00	04/08/2011
2,894.00		312.482 MTB LGE CAP GRWTH-INST I #299 PROPERTY TYPE: SECURITIES 2,469.00				10/10/2002 425.00	02/10/2011
758.00		92.43 MTB INTL EQ-INST I-FD #270 PROPERTY TYPE: SECURITIES 1,150.00				12/04/2006 -392.00	07/27/2010
982.00		111.364 MTB INTL EQ-INST I-FD #270 PROPERTY TYPE: SECURITIES 789.00				10/10/2002 193.00	11/17/2010
3,186.00		341.08 MTB INTL EQ-INST I-FD #270 PROPERTY TYPE: SECURITIES 2,417.00				10/10/2002 769.00	02/10/2011
22,131.00		2047.261 MTB INTERMED TERM BD-INST I-FD PROPERTY TYPE: SECURITIES 19,967.00				07/28/2009 2,164.00	11/17/2010
150.00		15.001 MTB INCOME FUND-INST I-FD #143 PROPERTY TYPE: SECURITIES 143.00				08/25/2009 7.00	07/27/2010
2,509.00		173.299 MAINSTAY EPOCH GLOBAL EQ YLD FD- PROPERTY TYPE: SECURITIES 2,298.00				05/11/2010 211.00	11/17/2010
859.00		59.728 MASTERS SELECT INTERNATIONAL FD # PROPERTY TYPE: SECURITIES 1,281.00				06/25/2007 -422.00	11/17/2010
511.00		32.796 MASTERS SELECT INTERNATIONAL FD # PROPERTY TYPE: SECURITIES 703.00				06/25/2007 -192.00	02/10/2011
138.00		8.491 MASTERS SELECT INTERNATIONAL FD #3 PROPERTY TYPE: SECURITIES 182.00				06/25/2007 -44.00	04/08/2011

FORM 990-PF - PART IV
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME

Kind of Property		Description				P or D	Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/ allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis		Gain or (loss)	
980.00		25.135 MORGAN STANLEY FOCUS GRWTH FD PROPERTY TYPE: SECURITIES 879.00					11/17/2010	02/10/2011
							101.00	
78.00		1.976 MORGAN STANLEY FOCUS GRWTH FD PROPERTY TYPE: SECURITIES 69.00					11/17/2010	04/08/2011
							9.00	
944.00		27.199 RS GLOBAL NATURAL RESOURCES FD-Y PROPERTY TYPE: SECURITIES 798.00					02/11/2010	11/17/2010
							146.00	
794.00		18.971 RS GLOBAL NATURAL RESOURCES FD-Y PROPERTY TYPE: SECURITIES 557.00					02/11/2010	04/08/2011
							237.00	
4,264.00		470.648 RIDGEWORTH SEIX FL RATE HI INC F PROPERTY TYPE: SECURITIES 4,490.00					08/27/2007	02/10/2011
							-226.00	
10,271.00		95.027 VANGUARD INSTITUTIONAL INDEX #94 PROPERTY TYPE: SECURITIES 9,536.00					10/13/2008	11/17/2010
							735.00	
9,336.00		355.101 CRM MID CAP VALUE FD-INSTL #32 PROPERTY TYPE: SECURITIES 10,103.00					08/04/2006	11/17/2010
							-767.00	
TOTAL GAIN(LOSS)							----- 10,468. =====	

FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES
=====

DESCRIPTION -----	REVENUE AND EXPENSES PER BOOKS -----	NET INVESTMENT INCOME -----
INTEREST AND DIVIDENDS	9,451.	9,500.
	-----	-----
TOTAL	9,451.	9,500.
	=====	=====

FORM 990PF, PART I - TAXES
=====

DESCRIPTION -----	REVENUE AND EXPENSES PER BOOKS -----	NET INVESTMENT INCOME -----
FEDERAL TAXES PRIOR YEAR BALAN	7.	
FOREIGN TAXES ON QUALIFIED FOR	213.	213.
FOREIGN TAXES ON NONQUALIFIED	7.	7.
	-----	-----
TOTALS	227.	220.
	=====	=====

FORM 990PF, PART II - OTHER INVESTMENTS
=====COST/
FMV

C OR F

DESCRIPTION

ENDING
BOOK VALUE

FMV

MTB SHORT TERM CORPORATE BOND	C	43,747.	45,125.
CRM MID CAP VALUE	C		
MTB MID CAP GROWTH	C	14,501.	19,244.
MASTERS SELECT INTL	C	10,980.	16,036.
MTB INTERNATIONAL EQUITY	C	43,060.	45,894.
LAZARD EMERGING MKTS	C	12,263.	15,073.
MTB SMALL CAP GROWTH	C	12,666.	13,847.
MTB LARGE CAP VALUE INSTIT	C	28,146.	31,433.
VANGUARD INTITUTIONAL INDEX	C		
MTB INTERMEDIATE	C		
MTB LARGE CAP GROWTH	C	27,462.	32,694.
T ROWE PRICE INSTIT	C	16,107.	20,978.
ALPINE INTERNATIONAL REAL EST	C		
HARBOR INTERNATIONAL FUND	C	14,350.	25,192.
RIDGEWORTH SEIX FLOATING RATE	C	15,021.	15,347.
HARBOR CAPITAL APPRECIATION	C		
MTB INCOME FD	C	69,286.	74,543.
GUINNESS ATKINSON FD	C	3,382.	5,362.
DREYFUS INTL BOND FD	C	14,883.	15,658.
MFS EMERG MKT DEBT FD	C	9,863.	10,367.
ARTIO GLOBAL HIGH INC FD	C	4,939.	5,137.
LSV VALUE EQUITY FD	C	32,479.	37,812.
MAINSTAY EPOCH GLOBAL EQ FD	C	6,867.	7,957.
RS GLOBAL NATURAL RESOURCES FD	C	11,948.	15,053.
FEDERATED ULTRA SHORT	C	5,116.	5,138.
DWS FLOATING RATE PLUS	C	5,132.	5,089.
MORGAN STANLEY FOCUS GRWT	C	18,200.	21,083.
ALPINE GLOBAL PREMIER	C	7,830.	8,044.
ING CLARION GLOBAL RE	C	2,381.	2,671.

HERMAN A & CARRIE S EBERT TRUST U/W

23-6787100

FORM 990PF, PART II - OTHER INVESTMENTS
=====

DESCRIPTION -----	COST/ FMV C OR F -----	ENDING BOOK VALUE -----	ENDING FMV ---
GUINNESS ATKINSON GLOBAL ENERG C	C	4,724.	4,918.
SPDR S&P DIVIDEND	C	5,363.	5,868.
		-----	-----
TOTALS		440,696.	505,563.
		=====	=====

FORM 990PF, PART III - OTHER DECREASES IN NET WORTH OR FUND BALANCES
=====

DESCRIPTION -----	AMOUNT -----
ROUNDING	2.

TOTAL	2.
	=====

STATE(S) WHERE THE FOUNDATION IS REGISTERED
=====

PA

HERMAN A & CARRIE S EBERT TRUST U/W

23-6787100

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEES

=====

OFFICER NAME:

M AND T TRUST CO

ADDRESS:

ONE M & T PLAZA

BUFFALO, NY 14203

TITLE:

CORP TRUSTEE

AVERAGE HOURS PER WEEK DEVOTED TO POSITION: 1

COMPENSATION 4,948.

TOTAL COMPENSATION:

4,948.

=====

STATEMENT 7

RECIPIENT NAME:
SALVATION ARMY
ADDRESS:
50 E KING ST
YORK, PA 17401
RELATIONSHIP:
NONE
PURPOSE OF GRANT:
TO CARRY OUT EXEMPT PURPOSE
FOUNDATION STATUS OF RECIPIENT:
PUBLIC
AMOUNT OF GRANT PAID 4,833.

RECIPIENT NAME:
ALBRIGHT CARE SERVICES
ADDRESS:
1 MAPLEWOOD DRIVE
LEWISBURG, PA 17837-9231
RELATIONSHIP:
NONE
PURPOSE OF GRANT:
GENERAL OPERATIONAL ACTIVITIES
FOUNDATION STATUS OF RECIPIENT:
NONE
AMOUNT OF GRANT PAID 2,900.

RECIPIENT NAME:
UNITED THEOLOGICAL SCHOOL
ADDRESS:
4501 DENLINGER RD
DAYTON, OH 45426
RELATIONSHIP:
NONE
PURPOSE OF GRANT:
TUITION AID/GENERAL OPERATIONAL ACTIVITIES
FOUNDATION STATUS OF RECIPIENT:
EDUCATIONAL/RELIGIOUS
AMOUNT OF GRANT PAID 5,799.

HERMAN A & CARRIE S EBERT TRUST U/W 23-6787100
FORM 990PF, PART XV, LINE 3 - CONTRIBUTIONS, GIFTS, GRANTS PAID
=====

RECIPIENT NAME:
GEN BRD OF GLOBAL
MINISTRIES/UM CHURCH
ADDRESS:
ATTN: XENON ANTONE ROOM 1445
NEW YORK, NY 10115
RELATIONSHIP:
NONE
PURPOSE OF GRANT:
GENERAL OPERATIONAL ACTIVITIES
FOUNDATION STATUS OF RECIPIENT:
RELIGIOUS
AMOUNT OF GRANT PAID 5,799.

TOTAL GRANTS PAID: 19,331.
=====

SCHEDULE D
(Form 1041)

Department of the Treasury
Internal Revenue Service

Capital Gains and Losses

► **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).**

OMB No 1545-0092

2010

Name of estate or trust

HERMAN A & CARRIE S EBERT TRUST U/W

Employer identification number

23-6787100

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)
1a SHORT-TERM CAPITAL GAIN DIVIDENDS		STMT 1			721.

b Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b **1b** 1,349.

2 Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824 **2**

3 Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts **3**

4 Short-term capital loss carryover. Enter the amount, if any, from line 9 of the 2009 Capital Loss Carryover Worksheet **4** ()

5 **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 **5** 2,070.

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)
6a LONG-TERM CAPITAL GAIN DIVIDENDS		STMT 1			1,305.

b Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b **6b** 7,093.

7 Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824 **7**

8 Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts **8**

9 Capital gain distributions **9**

10 Gain from Form 4797, Part I **10**

11 Long-term capital loss carryover. Enter the amount, if any, from line 14 of the 2009 Capital Loss Carryover Worksheet **11** ()

12 **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 **12** 8,398.

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

Schedule D (Form 1041) 2010

Part III Summary of Parts I and II		(1) Beneficiaries' (see instr.)	(2) Estate's or trust's	(3) Total
Caution: Read the instructions before completing this part.				
13	Net short-term gain or (loss)	13		2,070.
14	Net long-term gain or (loss):			
a	Total for year	14a		8,398.
b	Unrecaptured section 1250 gain (see line 18 of the wrkst)	14b		
c	28% rate gain	14c		
15	Total net gain or (loss). Combine lines 13 and 14a ▶	15		10,468.

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

16	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:	16	()
a	The loss on line 15, column (3) or 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.

17	Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34)	17	
18	Enter the smaller of line 14a or 15 in column (2) but not less than zero	18	
19	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)	19	
20	Add lines 18 and 19	20	
21	If the estate or trust is filing Form 4952, enter the amount from line 4g; otherwise, enter -0- . . . ▶	21	
22	Subtract line 21 from line 20. If zero or less, enter -0-	22	
23	Subtract line 22 from line 17. If zero or less, enter -0-	23	
24	Enter the smaller of the amount on line 17 or \$2,300	24	
25	Is the amount on line 23 equal to or more than the amount on line 24? ☐ Yes. Skip lines 25 and 26; go to line 27 and check the "No" box. ☐ No. Enter the amount from line 23	25	
26	Subtract line 25 from line 24	26	
27	Are the amounts on lines 22 and 26 the same? ☐ Yes. Skip lines 27 thru 30, go to line 31 ☐ No. Enter the smaller of line 17 or line 22	27	
28	Enter the amount from line 26 (If line 26 is blank, enter -0-)	28	
29	Subtract line 28 from line 27	29	
30	Multiply line 29 by 15% (.15)	30	
31	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)	31	
32	Add lines 30 and 31	32	
33	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)	33	
34	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)	34	

Schedule D (Form 1041) 2010

Name of estate or trust as shown on Form 1041 Do not enter name and employer identification number if shown on the other side

Employer identification number

HERMAN A & CARRIE S EBERT TRUST U/W

23-6787100

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

(a) Description of property (Example 100 sh 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) Subtract (e) from (d)
6a 43.398 LSV VALUE EQUITY FUND	02/11/2010	04/08/2011	646.00	516.00	130.00
37.627 ALPINE INTL REAL ESTATE EQ FD	10/13/2008	07/27/2010	832.00	601.00	231.00
512.921 ALPINE INTL REAL ESTATE EQ FD	11/19/2008	11/17/2010	13,069.00	6,052.00	7,017.00
25.236 DREYFUS INTL BOND FD -I	09/24/2009	11/17/2010	431.00	407.00	24.00
27.342 GUINNESS ATKINSON - CHINA & HK FD	10/13/2008	11/17/2010	1,104.00	598.00	506.00
5.495 GUINNESS ATKINSON - CHINA & HK FD	10/13/2008	04/08/2011	222.00	120.00	102.00
38.897 HARBOR INTERNATIONAL L FUND #11	04/17/2009	07/27/2010	2,082.00	1,452.00	630.00
14.102 HARBOR INTERNATIONAL L FUND #11	04/17/2009	11/17/2010	824.00	527.00	297.00
46.671 HARBOR INTERNATIONAL L FUND #11	04/17/2009	02/10/2011	2,877.00	1,743.00	1,134.00
2.631 HARBOR INTERNATIONAL FUND #11	04/17/2009	04/08/2011	171.00	98.00	73.00
635.78 HARBOR CAPITAL APPRECIATION FUND #12	10/16/2008	11/17/2010	22,011.00	21,197.00	814.00
43.174 T ROWE PRICE INST L/C GROWTH	10/27/2006	11/17/2010	664.00	607.00	57.00
75.882 T ROWE PRICE INST L/C GROWTH	10/27/2006	02/10/2011	1,327.00	1,068.00	259.00
25.147 LAZARD EMERGING MARKETS PORTFOLIO-IN	08/10/2007	09/27/2010	517.00	594.00	-77.00
42.98 LAZARD EMERGING MARKETS PORTFOLIO-IN	08/10/2007	11/17/2010	903.00	1,016.00	-113.00
46.193 LAZARD EMERGING MARKETS PORTFOLIO-IN	08/10/2007	04/08/2011	1,034.00	1,092.00	-58.00
25.768 MFS EMERGING MARKETS DEBT FD-CL I	09/24/2009	11/17/2010	387.00	359.00	28.00
447.849 MTB SM CAP GRWTH-INST I-FD #555	12/04/2006	11/17/2010	6,471.00	11,696.00	-5,225.00
114.878 MTB SM CAP GRWTH-INST I-FD #555	08/27/2007	02/10/2011	2,007.00	2,518.00	-511.00
31.278 MTB SM CAP GRWTH-INST I-FD #555	08/27/2007	04/08/2011	569.00	621.00	-52.00
141.087 MTB MID CAP GRWTH-INST I-FD #401	02/12/2008	02/10/2011	2,225.00	1,800.00	425.00
17.252 MTB MID CAP GRWTH-INST I-FD #401	02/12/2008	04/08/2011	277.00	220.00	57.00
1436.955 MTB LGE CAP VAL-INST I #327	10/13/2004	11/17/2010	14,082.00	15,289.00	-1,207.00
171.142 MTB LGE CAP VAL-INST I #327	10/13/2004	02/10/2011	1,881.00	1,821.00	60.00
18.178 MTB LGE CAP VAL-INST I #327	10/13/2004	04/08/2011	205.00	193.00	12.00

6b Total. Combine the amounts in column (f) Enter here and on Schedule D, line 6b

Schedule D-1 (Form 1041) 2010

Employer identification number

23-6787100

(a) Description of property(Example 100 sh 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) Subtract (e) from (d)
6a 312.482 MTB LGE CAP GRWTH-INST I #299	10/10/2002	02/10/2011	2,894.00	2,469.00	425.00
92.43 MTB INTL EQ-INST I-FD #270	12/04/2006	07/27/2010	758.00	1,150.00	-392.00
111.364 MTB INTL EQ-INST I-FD #270	10/10/2002	11/17/2010	982.00	789.00	193.00
341.08 MTB INTL EQ-INST I-FD #270	10/10/2002	02/10/2011	3,186.00	2,417.00	769.00
2047.261 MTB INTERMED TERM BD-INST I-FD #220	07/28/2009	11/17/2010	22,131.00	19,967.00	2,164.00
59.728 MASTERS SELECT INTERNATIONAL FD #306	06/25/2007	11/17/2010	859.00	1,281.00	-422.00
32.796 MASTERS SELECT INTERNATIONAL FD #306	06/25/2007	02/10/2011	511.00	703.00	-192.00
8.491 MASTERS SELECT INTERNATIONAL FD #306	06/25/2007	04/08/2011	138.00	182.00	-44.00
18.971 RS GLOBAL NATURAL RESOURCES FD-Y	02/11/2010	04/08/2011	794.00	557.00	237.00
470.648 RIDGEWORTH SEIX FL RATE HI INC FD-I	08/27/2007	02/10/2011	4,264.00	4,490.00	-226.00
95.027 VANGUARD INSTITUTIONAL INDEX #94	10/13/2008	11/17/2010	10,271.00	9,536.00	735.00
355.101 CRM MID CAP VALUE FD-INSTL #32	08/04/2006	11/17/2010	9,336.00	10,103.00	-767.00
6b Total. Combine the amounts in column (f). Enter here and on Schedule D, line 6b					7,093.00

Schedule D-1 (Form 1041) 2010

FEDERAL CAPITAL GAIN DIVIDENDS
=====SHORT-TERM CAPITAL GAIN DIVIDENDS

ARTIO GLOBAL HIGH INC FD - I	
ARTIO GLOBAL HIGH INC FD - I	74.00
DREYFUS INTL BOND FD -I	334.00
MFS EMERGING MARKETS DEBT FD-CL I	175.00
MTB INCOME FUND-INST I-FD #143	138.00

TOTAL SHORT-TERM CAPITAL GAIN DIVIDENDS

721.00
=====LONG-TERM CAPITAL GAIN DIVIDENDS

15% RATE CAPITAL GAIN DIVIDENDS

ARTIO GLOBAL HIGH INC FD - I	50.00
DREYFUS INTL BOND FD -I	143.00
GUINNESS ATKINSON - CHINA & HK FD	174.00
MFS EMERGING MARKETS DEBT FD-CL I	21.00
MTB SH TERM CORP BD-INST I-#518	59.00
MTB INCOME FUND-INST I-FD #143	858.00

TOTAL 15% RATE CAPITAL GAIN DIVIDENDS

1,305.00

TOTAL LONG-TERM CAPITAL GAIN DIVIDENDS

1,305.00
=====