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Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

OMB No 1545-0052

2010

For calendar year 2010, or tax year beginning 11-01-2010 , and ending 10-31-2011

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
KENNETH H MONTGOMERY FOUNDATION INC

A Employer identification number
58-1928906

Number and street (or P O box number if mail is not delivered to street address)
2340 PERIMETER PARK DRIVE NO 100

Room/suite

B Telephone number (see page 10 of the instructions)
(770) 458-5000

City or town, state, and ZIP code
ATLANTA, GA 30341

C If exemption application is pending, check here ☐

D 1. Foreign organizations, check here ☐

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

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

I Fair market value of all assets at end of year (from Part II, col. (c), line 16)
\$ 8,552,970

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

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)
Revenue	1 Contributions, gifts, grants, etc , received (attach schedule)	150			
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	495	495		
	4 Dividends and interest from securities.	224,461	224,461		
	5a Gross rents	3,683	3,683		
	b Net rental income or (loss) <u>2,508</u>				
	6a Net gain or (loss) from sale of assets not on line 10	101,145			
	b Gross sales price for all assets on line 6a <u>288,033</u>				
	7 Capital gain net income (from Part IV, line 2)		101,145		
	8 Net short-term capital gain				
	9 Income modifications			1,500	
	10a Gross sales less returns and allowances				
Operating and Administrative Expenses	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)	654,251	654,251		
	12 Total. Add lines 1 through 11	984,185	984,035	1,500	
	13 Compensation of officers, directors, trustees, etc	42,500	0		0
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule).				
	b Accounting fees (attach schedule).				
	c Other professional fees (attach schedule)	75,731	75,731		0
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	9,239	0		0
	19 Depreciation (attach schedule) and depletion	119,159	119,159		
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule).	12,848	1,175		0
	24 Total operating and administrative expenses.				
	Add lines 13 through 23	259,477	196,065		0
	25 Contributions, gifts, grants paid	362,400			362,400
	26 Total expenses and disbursements. Add lines 24 and 25	621,877	196,065		362,400
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	362,308			
	b Net investment income (if negative, enter -0-)		787,970		
	c Adjusted net income (if negative, enter -0-)			1,500	

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

Cat No 11289X

Form **990-PF** (2010)

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	31,825	62,228
	3	Accounts receivable ▶ <u>2,300</u>		
		Less allowance for doubtful accounts ▶ _____	2,300	2,300
	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 ▶ _____		
	8	Inventories for sale or use		
	9	Prepaid expenses and deferred charges		
	10a	Investments—U S and state government obligations (attach schedule)		
	b	Investments—corporate stock (attach schedule)	7,463,439 	8,008,955
	c	Investments—corporate bonds (attach schedule).		
	11	Investments—land, buildings, and equipment basis ▶ _____		
		Less accumulated depreciation (attach schedule) ▶ _____		
Liabilities	12	Investments—mortgage loans		
	13	Investments—other (attach schedule)		
	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)	7,495,264	8,073,483
	17	Accounts payable and accrued expenses		
	18	Grants payable		
	19	Deferred revenue		
	20	Loans from officers, directors, trustees, and other disqualified persons		
Net Assets or Fund Balances	21	Mortgages and other notes payable (attach schedule)		
	22	Other liabilities (describe ▶ _____)	 633,888  754,710	
	23	Total liabilities (add lines 17 through 22)	633,888	754,710
		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	110,000	110,000
	28	Paid-in or capital surplus, or land, bldg , and equipment fund	0	0
	29	Retained earnings, accumulated income, endowment, or other funds	6,751,376	7,208,773
	30	Total net assets or fund balances (see page 17 of the instructions)	6,861,376	7,318,773
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	7,495,264	8,073,483

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	6,861,376
2	Enter amount from Part I, line 27a	2	362,308
3	Other increases not included in line 2 (itemize) ▶ 	3	120,659
4	Add lines 1, 2, and 3	4	7,344,343
5	Decreases not included in line 2 (itemize) ▶ 	5	25,570
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	7,318,773

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)
1 a	POST MONTGOMERY LAND & IMPROV	P	1987-12-31	2010-05-19
b	WELLS FARGO MARKETALBE SECURITIES	P		
c	CAPITAL GAINS DIVIDENDS	P		
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 3,333		32	3,301
b 231,000		186,856	44,144
c 53,700			53,700
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a			3,301
b			44,144
c			53,700
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	101,145
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	279,950	7,296,003	0 038370
2008	294,882	5,899,008	0 049988
2007	256,700	6,379,942	0 040235
2006	243,000	5,985,971	0 040595
2005	201,433	4,966,938	0 040555

2 Total of line 1, column (d).	2	0 209743
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 041949
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5.	4	8,436,227
5 Multiply line 4 by line 3.	5	353,891
6 Enter 1% of net investment income (1% of Part I, line 27b).	6	7,880
7 Add lines 5 and 6.	7	361,771
8 Enter qualifying distributions from Part XII, line 4.	8	362,400

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 VIExcise 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 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	7,880
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	7,880
4		Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0
5		Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-		5	7,880
6		Credits/Payments			
a		2010 estimated tax payments and 2009 overpayment credited to 2010	6a	9,239	
b		Exempt foreign organizations—tax withheld at source	6b		
c		Tax paid with application for extension of time to file (Form 8868)	6c	7,000	
d		Backup withholding erroneously withheld	6d		
7		Total credits and payments Add lines 6a through 6d.		7	16,239
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	
10		Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid.		10	8,359
11		Enter the amount of line 10 to be Credited to 2011 estimated tax ☐ 7,659	Refunded ☐	11	0

Part VII-AStatements Regarding Activities

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?		Yes	No
		1a		No
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)?			No
	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?	1c		No
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ☐ \$ 0 (2) On foundation managers ☐ \$ 0			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☐ \$ 0			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.	2		No
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	3		No
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?	4a		No
b	If "Yes," has it filed a tax return on Form 990-T for this year?	4b		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.	5		No
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?	6	Yes	
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	7	Yes	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ☒ GA _____			
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 .	8b	Yes	
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	9		No
10	Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	10		No

Part VII-A

Statements Regarding Activities *(continued)*

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address N/A	13	Yes	
14	The books are in care of GROSSDUKENELSON CO PC Telephone no (770) 458-5000 Located at 2340 PERIMETER PARK DR STE 100 ATLANTA GA ZIP+4 30341			
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			
16	At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?	16		No
See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1 If "Yes", enter the name of the foreign country ☐				

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required

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

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a	During the year did the foundation pay or incur any amount to			
	(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	☐ Yes	☒ No	
	(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?	☐ Yes	☒ No	
	(3) Provide a grant to an individual for travel, study, or other similar purposes?	☐ Yes	☒ No	
	(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions).	☐ Yes	☒ No	
	(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?	☐ Yes	☒ No	
b	If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.	5b		
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? <i>If "Yes," attach the statement required by Regulations section 53.4945–5(d).</i>			
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?			
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? <i>If "Yes" to 6b, file Form 8870.</i>	6b		No
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?			
b	If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?	7b		

Part VIII

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

1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).				
(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
See Additional Data Table				
2 Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions). If none, enter "NONE."				
(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				
Total number of other employees paid over \$50,000.				0

Part VIII

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

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

Total number of others receiving over \$50,000 for professional services.	0
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Part IX-A

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	0
2		
3		
4		

Part IX-B

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
--	--------

1 NONE	0
2	
All other program-related investments See page 24 of the instructions	
3	

Total. Add lines 1 through 3.	0
--	---

Part X

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes		
a	Average monthly fair market value of securities.	1a	8,414,656
b	Average of monthly cash balances.	1b	150,041
c	Fair market value of all other assets (see page 24 of the instructions).	1c	0
d	Total (add lines 1a, b, and c).	1d	8,564,697
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation).	1e	0
2	Acquisition indebtedness applicable to line 1 assets.	2	0
3	Subtract line 2 from line 1d.	3	8,564,697
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	128,470
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	8,436,227
6	Minimum investment return. Enter 5% of line 5.	6	421,811

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	421,811
2a	Tax on investment income for 2010 from Part VI, line 5.	2a	7,880
b	Income tax for 2010 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	7,880
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	413,931
4	Recoveries of amounts treated as qualifying distributions.	4	1,500
5	Add lines 3 and 4.	5	415,431
6	Deduction from distributable amount (see page 25 of the instructions).	6	0
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	415,431

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	362,400
b	Program-related investments—total from Part IX-B.	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes.	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	
b	Cash distribution test (attach the required schedule).	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	362,400
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	7,880
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	354,520
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				415,431
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only.			349,621	
b Total for prior years 20____, 20____, 20____		0		
3 Excess distributions carryover, if any, to 2010				
a From 2005.				
b From 2006.				
c From 2007.				
d From 2008.				
e From 2009.				
f Total of lines 3a through e.	0			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 362,400				
a Applied to 2009, but not more than line 2a			349,621	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .	0			
d Applied to 2010 distributable amount.				12,779
e Remaining amount distributed out of corpus	0			
5 Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a).)	0			0
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0			
b Prior years' undistributed income Subtract line 4b from line 2b.		0		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0		
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . .		0		
e Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011.				402,652
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions).	0			
8 Excess distributions carryover from 2005 not applied on line 5 or line 7 (see page 27 of the instructions).	0			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a.	0			
10 Analysis of line 9				
a Excess from 2006. . . .				
b Excess from 2007. . . .				
c Excess from 2008. . . .				
d Excess from 2009. . . .				
e Excess from 2010. . . .				

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

1a

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

b

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

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

1

Information Regarding Foundation Managers:

a

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

b

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

2

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

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

a

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

b

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

c

Any submission deadlines

d

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

Part XV

Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	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)				
a Paid during the year See Additional Data Table				
Total			3a	362,400
b Approved for future payment				
Total			3b	0

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue					
a _____					
b _____					
c _____					
d _____					
e _____					
f _____					
g Fees and contracts from government agencies					
2 Membership dues and assessments.					
3 Interest on savings and temporary cash investments			14	495	
4 Dividends and interest from securities.			14	224,461	
5 Net rental income or (loss) from real estate					
a Debt-financed property.					
b Not debt-financed property.			16	2,508	
6 Net rental income or (loss) from personal property					
7 Other investment income.			01	654,251	
8 Gain or (loss) from sales of assets other than inventory			18	101,145	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory. . .					
11 Other revenue a _____					
b _____					
c _____					
d _____					
e _____					
12 Subtotal. Add columns (b), (d), and (e). . .		0		982,860	0
13 Total. Add line 12, columns (b), (d), and (e). 13				982,860	982,860

[illegible]

Part XVII

Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

1

Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

a

Transfers from the reporting foundation to a noncharitable exempt organization of

1

Cash.

2

Other assets.

b

Other transactions

1

Sales of assets to a noncharitable exempt organization.

2

Purchases of assets from a noncharitable exempt organization.

3

Rental of facilities, equipment, or other assets.

4

Reimbursement arrangements.

5

Loans or loan guarantees.

6

Performance of services or membership or fundraising solicitations.

c

Sharing of facilities, equipment, mailing lists, other assets, or paid employees.

d

If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

Yes

No

(a) Line No	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements

2a

Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527?

Yes

No

b

If "Yes," complete the following schedule

(a) Name of organization	(b) Type of organization	(c) Description of relationship
--------------------------	--------------------------	---------------------------------

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.

Signature of officer or trustee

2012-06-21

Date

Title

Paid Preparer's Use Only

Preparer's Signature

JANET C DENNISSON

Firm's name

GROSSDUKENELSON & CO PC

Firm's address

2340 PERIMETER PARK DRIVE
ATLANTA, GA 303411318

Date

2012-06-21

Check if self-employed

PTIN

Firm's EIN

Phone no

(770) 458-5000

Form 990-PF (2010)

Additional Data

Software ID:
Software Version:
EIN: 58-1928906
Name: KENNETH H MONTGOMERY FOUNDATION INC

Form 990PF Part VIII Line 1 - List all officers, directors, trustees, foundation managers and their compensation

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
L J MONTGOMERY	PRES/TREAS 20 00	10,000	0	0
3970 BEECHWOOD DR ATLANTA,GA 30328				
L J MONTGOMERY III	SECRETARY 10 00	10,000	0	0
200 WALKER ROAD CARROLLTON,GA 30117				
MARY MONTGOMERY	DIRECTOR 10 00	10,000	0	0
3970 BEECHWOOD DR ATLANTA,GA 30328				
ELIZABETH MONTGOMERY SCHEINE	DIRECTOR 2 00	0	0	0
3970 BEECHWOOD DR ATLANTA,GA 30328				
BEVERLY EDMUNDSON BENNETT	DIRECTOR 2 00	12,500	0	0
3970 BEECHWOOD DR ATLANTA,GA 30328				

Form 990PF Part XV Line 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)				
a <i>Paid during the year</i>				
AUBURN UNIVERSITY 317 S COLLEGE STREET AUBURN UNIVERSITY,AL 36849		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	2,500
CAMPBELL COUNTY HIGH SCHOOL 150 COUGAR LANE JACKSBORO,TN 37757		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,500
CARROLLTON FIRST UNITED METHODIST CHURCH 206 NEWNAN STREET CARROLLTON,GA 30117		CHURCH	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	6,000
CENTRAL HIGH SCHOOL 113 CENTRAL HIGH ROAD CARROLLTON,GA 30116		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	5,750
CIRCLE FOR CHILDREN 2341 PERIMETER PARK DRIVE ATLANTA,GA 30341		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	5,000
CLEARWATER HIGH SCHOOL ROUTE 4 BOX 1004 PIEDMONT,MO 63957		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	8,000
DELTA SIGMA PHI FOUNTATION 891 LEM MORRISON DRIVE PO BOX 3186 AUBURN,AL 36830		NONPROFIT ORGANIZATI	UNDERGRADUATE FINANCIAL ASSISTANCE	1,000
DEXTER HIGH SCHOOL 1101 W GRANT STREET DEXTER,MO 63841		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	31,250
DONIPHAN HIGH SCHOOL 309 PINE STREET DONIPHAN,MO 63935		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	5,000
DURHAM MIDDLE SCHOOL 2891 MARS HILL ROAD NW ACWORTH,GA 30101		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	1,000
FARRAGUT HIGH SCHOOL 11237 KINGSTON PIKE KNOXVILLE,TN 37934		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,500
FIRST COAST HIGH SCHOOL 590 DUVAL STATION ROAD JACKSONVILLE,FL 32218		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,500
GEORGIA TECH FOUNDATION 760 SPRING STREET SUITE 400 ATLANTA,GA 30308		NONPROFIT ORGANIZATI	UNDERGRADUATE FINANCIAL ASSISTANCE	31,500
HANDLEY HIGH SCHOOL 99 TIGER CIRCLE ROANOKE,AL 36274		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	17,500
HIGHTOWER TRAIL MIDDLE SCHOOL 3905 POST OAK TRITT ROAD MARIETTA,GA 30062		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	1,000
Total  3a				362,400

Form 990PF Part XV Line 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)				
a <i>Paid during the year</i>				
JOHN KNOX PRESBYTERIAN CHURCH-BOY SCOUT TROOP 772 505 POWERS FERRY ROAD SE MARIETTA,GA 30067		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	1,750
LEVELLAND HIGH SCHOOL 1400 HICKORY STREET LEVELLAND,TX 79336		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	8,000
LITERACY VOLUNTEERS OF TROUP COUNTY 200 MAIN STREET SUITE 201 LAGRANGE,GA 30241		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	20,000
MONTGOMERY CATHOLIC HIGH SCHOOL 5350 VAUGHN ROAD MONTGOMERY,AL 36116		PRIVATE SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	20,000
MT ZION HIGH SCHOOL 280 EUREKA CHURCH ROAD CARROLLTON,GA 30117		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	8,250
NAYLOR HIGH SCHOOL 512 BATTEN STREET NAYLOR,MO 63953		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	13,250
NEELYVILLE HIGH SCHOOL 289 BROADWAY STREET NEELYVILLE,MO 63954		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,500
PALACE OF PRAISE 1400 HERSCHEL BESS BLVD POPLAR BLUFF,MO 63901		CHURCH	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	10,000
PEDIATRIC BRAIN TUMOR FOUNDATION 2026 HIGHLAND AVENUE WAUKESHA,WI 53186		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	1,500
POPLAR BLUFF HIGH SCHOOL 1300 VICTORY LANE POPLAR BLUFF,MO 63901		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	2,125
POST CITY CELEBRATION INC POBOX 155 POST,TX 79356		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	2,500
POST HIGH SCHOOL 200 WEST 6TH STREET POST,TX 79356		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	26,750
SALEM HIGH SCHOOL 1400 TIGER PRIDE DRIVE SALEM,MO 65560		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	22,500
SOUTHEAST MISSOURI STATE UNIVERSITY FINANCIAL SERVICES CAPE GIRARDEAU,MO 63701		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	3,000
SPECIAL OLYMPICS OF WISCONSIN INC 2310 CROSSROADS DRIVE SUITE 100 MADISON,WI 53718		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	275
Total  3a				362,400

Form 990PF Part XV Line 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)				
a <i>Paid during the year</i>				
TEMPLE HIGH SCHOOL 589 SAGE STREET TEMPLE,GA 30179		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	8,250
TERRY PARKER SENIOR HIGH SCHOOL 7301 PARKER SCHOOL ROAD JACKSONVILLE,FL 32211		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,500
TWIN RIVERS HIGH SCHOOL 9327 HIGHWAY 51 BROSELEY,MO 63932		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	15,000
UNITED METHODIST CHILDREN'S HOME 500 S COLUMBIA DRIVE DECATUR,GA 30030		NONPROFIT ORGANIZATI	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	5,000
UNIVERSITY OF GEORGIA 424 E BROAD STREET ATHENS,GA 30602		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,000
UNIVERSITY OF MISSISSIPPI PO BOX 249 UNIVERSITY,MS 38677		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	6,000
UNIVERSITY OF WEST GEORGIA 1601 MAPLE STREET CARROLLTON,GA 30118		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	3,000
WEHADKEE BAPTIST CHURCH 915 ABBOTSFORD ROAD LAGRANGE,GA 30240		CHURCH	VARIOUS CHARITABLE PROGRAMS ASSISTANCE	5,000
WOODLAND HIGH SCHOOL 24574 HIGHWAY 48 WOODLAND,AL 36280		PUBLIC SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	21,250
WOODWARD ACADEMY 1662 RUGY AVENUE COLLEGE PARK,GA 30337		PRIVATE SCHOOL	UNDERGRADUATE FINANCIAL ASSISTANCE	5,000
Total  3a				362,400

**TY 2010 Investments Corporate
Stock Schedule**

Name: KENNETH H MONTGOMERY FOUNDATION INC
EIN: 58-1928906

Name of Stock	End of Year Book Value	End of Year Fair Market Value
BROKERAGE ACCOUNT 6500	8,008,955	8,488,442

TY 2010 Other Decreases Schedule

Name: KENNETH H MONTGOMERY FOUNDATION INC

EIN: 58-1928906

Description	Amount
WORLD MONITOR TRUST UNREALIZED LOSSES	25,570

TY 2010 Other Expenses Schedule**Name:** KENNETH H MONTGOMERY FOUNDATION INC**EIN:** 58-1928906

Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
ADMINISTRATIVE SERVICE	11,673	0		0
FARM LAND, LEVELLAND, TX	1,175	1,175		0

TY 2010 Other Income Schedule**Name:** KENNETH H MONTGOMERY FOUNDATION INC**EIN:** 58-1928906

Description	Revenue And Expenses Per Books	Net Investment Income	Adjusted Net Income
POST MONTGOMERY-ROYALTIES	684,178	684,178	684,178
FARM CROP PROCEEDS	14,162	14,162	14,162
POST MONTGOMERY-FARM INCOME	-1,534	-1,534	-1,534
WORLD MONITOR TRUST P/S	-42,555	-42,555	-42,555

TY 2010 Other Increases Schedule**Name:** KENNETH H MONTGOMERY FOUNDATION INC**EIN:** 58-1928906

Description	Amount
BOOK/TAX DIFFERENCE IN DEPLETION	119,159
REFUND OF PREVIOUS DISTRIBUTION	1,500

TY 2010 Other Liabilities Schedule**Name:** KENNETH H MONTGOMERY FOUNDATION INC**EIN:** 58-1928906

Description	Beginning of Year - Book Value	End of Year - Book Value
ADVANCE PMT FROM POST MONTGOMERY	633,888	754,710

TY 2010 Other Professional Fees Schedule**Name:** KENNETH H MONTGOMERY FOUNDATION INC**EIN:** 58-1928906

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
INVESTMENT MANAGEMENT FEES	75,731	75,731		0

TY 2010 Taxes Schedule

Name: KENNETH H MONTGOMERY FOUNDATION INC

EIN: 58-1928906

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
FEDERAL INCOME TAXES	9,239	0		0