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

2011

For calendar year 2011 or tax year beginning , 2011, and ending , 20

Name of foundation: THE WEARY FAMILY FOUNDATION

A Employer identification number: 48-1224093

Number and street (or P O box number if mail is not delivered to street address): C/O GIFFORD WEARY
2731 ELGINFIELD ROAD

Room/suite:

B Telephone number (see instructions): ( ) -

City or town, state, and ZIP code: COLUMBUS, OH 43220

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 ▶ ☐

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

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)* ▶ $ 17,645,809.

J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify) ____________ *(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 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)	570,000.			
	2	Check ▶ ☐ if the foundation is **not** required to attach Sch B				
	3	Interest on savings and temporary cash investments	114,256.	114,256.		ATCH 1
	4	Dividends and interest from securities	491,733.	491,733.		ATCH 2
	5a	Gross rents				
	b	Net rental income or (loss)				
	6a	Net gain or (loss) from sale of assets not on line 10	840,810.			
	b	Gross sales price for all assets on line 6a 4,405,948.				
	7	Capital gain net income (from Part IV, line 2)		840,810.		
	8	Net short-term capital gain				
	9	Income modifications				
	10a	Gross sales less returns and allowances				
	b	Less Cost of goods sold				
	c	Gross profit or (loss) (attach schedule)				
	11	Other income (attach schedule)				
	12	**Total.** Add lines 1 through 11	2,016,799.	1,446,799.		
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc	0			
	14	Other employee salaries and wages				
	15	Pension plans, employee benefits				
	16a	Legal fees (attach schedule) ATCH 3	1,378.	689.		689.
	b	Accounting fees (attach schedule) ATCH 4	7,960.	3,980.		3,980.
	c	Other professional fees (attach schedule) *	81,911.	81,911.		
	17	Interest				
	18	Taxes (attach schedule) (see instructions) **	12,583.	2,583.		
	19	Depreciation (attach schedule) and depletion				
	20	Occupancy				
	21	Travel, conferences, and meetings				
	22	Printing and publications				
	23	Other expenses (attach schedule) ATCH 7	7,641.	6,323.		1,318.
	24	**Total operating and administrative expenses.** Add lines 13 through 23	111,473.	95,486.		5,987.
	25	Contributions, gifts, grants paid	899,000.			899,000.
	26	**Total expenses and disbursements** Add lines 24 and 25	1,010,473.	95,486.	0	904,987.
	27	Subtract line 26 from line 12				
	a	**Excess of revenue over expenses and disbursements**	1,006,326.			
	b	**Net investment income** (if negative, enter -0-)		1,351,313.		
	c	**Adjusted net income** (if negative, enter -0-)				

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		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	888,064.	984,106.	984,122.
	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 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			
	10 a	Investments - U S and state government obligations (attach schedule)			
	b	Investments - corporate stock (attach schedule) ATCH 8	10,493,320.	10,490,141.	11,332,086.
	c	Investments - corporate bonds (attach schedule) ATCH 9	4,220,661.	5,138,360.	5,292,566.
	11	Investments - land, buildings, and equipment basis ▶ Less accumulated depreciation (attach schedule) ▶			
	12	Investments - mortgage loans			
	13	Investments - other (attach schedule)			
	14	Land, buildings, and equipment basis ▶ Less accumulated depreciation (attach schedule) ▶			
	15	Other assets (describe ▶ ATCH 10)	85,761.	79,052.	37,035.
	16	**Total assets** (to be completed by all filers - see the instructions Also, see page 1, item I)	15,687,806.	16,691,659.	17,645,809.
Liabilities	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ▶)			
	23	**Total liabilities** (add lines 17 through 22)	0	0	
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			
	28	Paid-in or capital surplus, or land, bldg , and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds	15,687,806.	16,691,659.	
	30	**Total net assets or fund balances** (see instructions)	15,687,806.	16,691,659.	
	31	**Total liabilities and net assets/fund balances** (see instructions)	15,687,806.	16,691,659.	

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	15,687,806.
2	Enter amount from Part I, line 27a	2	1,006,326.
3	Other increases not included in line 2 (itemize) ▶ ATTACHMENT 11	3	-2,473.
4	Add lines 1, 2, and 3	4	16,691,659.
5	Decreases not included in line 2 (itemize) ▶	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	16,691,659.

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Part IV Capital Gains and Losses for Tax on Investment Income

	(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co.)	(b) How acquired P-Purchase D-Donation	(c) Date acquired (mo , day, yr.)	(d) Date sold (mo , day, yr)
1a	SEE PART IV SCHEDULE			
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			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
	(i) F M.V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a				
b				
c				
d				
e				

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	840,810.
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 instructions) If (loss), enter -0- in Part I, line 8	3	0

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 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))
2010	773,094.	16,363,887.	0.047244
2009	770,894.	14,217,908.	0.054220
2008	752,613.	12,629,887.	0.059590
2007	27,328.	563,801.	0.048471
2006	19,876.	444,292.	0.044736

2	**Total** of line 1, column (d)	2	0.254261
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	0.050852
4	Enter the net value of noncharitable-use assets for 2011 from Part X, line 5	4	18,755,692.
5	Multiply line 4 by line 3	5	953,764.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	13,513.
7	Add lines 5 and 6	7	967,277.
8	Enter qualifying distributions from Part XII, line 4	8	904,987.

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

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

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ 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	27,026.
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	27,026.
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	27,026.
6	Credits/Payments				
a	2011 estimated tax payments and 2010 overpayment credited to 2011	6a	10,669.		
b	Exempt foreign organizations - tax withheld at source	6b			
c	Tax paid with application for extension of time to file (Form 8868)	6c			
d	Backup withholding erroneously withheld	6d			
7	Total credits and payments. Add lines 6a through 6d			7	10,669.
8	Enter any **penalty** for underpayment of estimated tax. Check here ☐ if Form 2220 is attached			8	5.
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶			9	16,362.
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 2012 estimated tax** ▶ 0 **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?	1a		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)?	1b		X
	*If the answer is "Yes" to **1a** or **1b**, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities*			
c	Did the foundation file **Form 1120-POL** for this year?	1c		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? *If "Yes," attach a detailed description of the activities*	2		X
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		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b	N/A	
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
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		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*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ KS,			
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	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 2011 or the taxable year beginning in 2011 (see instructions for Part XIV)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*	10		X

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

11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	**11**		X
12 Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If "Yes," attach statement (see instructions)	**12**		X
13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	**13**	X	

Website address ▶ N/A

14 The books are in care of ▶ GIFFORD WEARY Telephone no ▶ 614-247-1636

Located at ▶2731 ELGINFIELD ROAD COLUMBUS, OH ZIP + 4 ▶ 43220

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**

		Yes	No
16 At any time during calendar year 2011, 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**		
See the instructions for exceptions and filing requirements for Form TD F 90-22 1 If "Yes," enter the name of the foreign country ▶			

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

		Yes	No
File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.			
1a During the year did the foundation (either directly or indirectly):			
(1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ 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 instructions)?	**1b**	N/A	
Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
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 2011?	**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 2011, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2011? ☐ Yes ☒ No			
If "Yes," list the years ▶ ____, ____, ____, ____			
b Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement - see instructions)	**2b**	N/A	
c If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ ____, ____, ____, ____			
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 2011 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 2011)*	**3b**	N/A	
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	**4a**		X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2011?	**4b**		X

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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 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 instructions)? **5b** N/A

Organizations relying on a current notice regarding disaster assistance check here ▶ ☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? N/A ☐ 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? **6b** No: X

If "Yes" to 6b, file Form 8870

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

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? **7b** No: 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 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
ATTACHMENT 12		0	0	0

2 Compensation of five highest-paid employees (other than those included on line 1 - see 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 ▶

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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 instructions). If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
NONE		0
Total number of others receiving over $50,000 for professional services ▶		

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 NOTE: ONLY ACTIVITY OF THE FOUNDATION WAS DONATING TO VARIOUS ORGANIZATIONS THAT WERE SELECTED BY THE TRUSTEES.	
2 THERE WERE NO DIRECT EXPENSES INCURRED IN MAKING THESE DONATIONS.	
3	
4	

Part IX-B Summary of Program-Related Investments (see 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 instructions 3 NONE	
Total. Add lines 1 through 3 ▶	

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see 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	19,041,312.
b	Average of monthly cash balances			1b	
c	Fair market value of all other assets (see instructions)			1c	
d	**Total** (add lines 1a, b, and c)			1d	19,041,312.
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	
3	Subtract line 2 from line 1d			3	19,041,312.
4	Cash deemed held for charitable activities Enter 1 1/2 % of line 3 (for greater amount, see instructions)			4	285,620.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4			5	18,755,692.
6	**Minimum investment return.** Enter 5% of line 5			6	937,785.

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

1	Minimum investment return from Part X, line 6			1	937,785.
2a	Tax on investment income for 2011 from Part VI, line 5	2a	27,026.		
b	Income tax for 2011 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	27,026.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	910,759.
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	910,759.
6	Deduction from distributable amount (see instructions)			6	
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1			7	910,759.

Part XII Qualifying Distributions (see 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	904,987.
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	
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	904,987.
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 instructions)	5	0
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	904,987.

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 instructions)

			(a) Corpus	(b) Years prior to 2010	(c) 2010	(d) 2011
1	Distributable amount for 2011 from Part XI, line 7					910,759.
2	Undistributed income, if any, as of the end of 2011					
a	Enter amount for 2010 only					
b	Total for prior years 20 09 ,20 08 ,20 07					
3	Excess distributions carryover, if any, to 2011					
a	From 2006					
b	From 2007					
c	From 2008	94,330.				
d	From 2009	65,055.				
e	From 2010					
f	**Total** of lines 3a through e		159,385.			
4	Qualifying distributions for 2011 from Part XII, line 4. ▶ $ 904,987.					
a	Applied to 2010, but not more than line 2a					
b	Applied to undistributed income of prior years (Election required - see instructions)					
c	Treated as distributions out of corpus (Election required - see instructions)					
d	Applied to 2011 distributable amount					904,987.
e	Remaining amount distributed out of corpus					
5	Excess distributions carryover applied to 2011 *(If an amount appears in column (d), the same amount must be shown in column (a).)*		5,772.			5,772.
6	**Enter the net total of each column as indicated below:**					
a	Corpus Add lines 3f, 4c, and 4e Subtract line 5		153,613.			
b	Prior years' undistributed income Subtract line 4b from line 2b					
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					
d	Subtract line 6c from line 6b Taxable amount - see instructions					
e	Undistributed income for 2010 Subtract line 4a from line 2a Taxable amount - see instructions					
f	Undistributed income for 2011 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2012					
7	Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)					
8	Excess distributions carryover from 2006 not applied on line 5 or line 7 (see instructions)					
9	**Excess distributions carryover to 2012.** Subtract lines 7 and 8 from line 6a		153,613.			
10	Analysis of line 9					
a	Excess from 2007					
b	Excess from 2008	88,558.				
c	Excess from 2009	65,055.				
d	Excess from 2010					
e	Excess from 2011					

Part XIV Private Operating Foundations (see 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 2011, enter the date of the ruling . . . . ▶

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

	Tax year	Prior 3 years			(e) Total
	(a) 2011	(b) 2010	(c) 2009	(d) 2008	
2a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed .					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test - enter					
(1) Value of all assets . . .					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test- enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed . .					
c "Support" alternative test - enter					
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942 (j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income .					

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

1 **Information Regarding Foundation Managers:**

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

NONE

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

NONE

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

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

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

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

c Any submission deadlines

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

Part XV **Supplementary Information** (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
SEE ATTACHMENT 13				899,000.
Total . . . . ▶ **3a**				899,000.
b *Approved for future payment*				
Total . . . . ▶ **3b**				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See 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	114,257.	
4 Dividends and interest from securities			14	491,732.	
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory			18	840,810.	
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)				1,446,799.	

13 Total. Add line 12, columns (b), (d), and (e) . . . 13 1,446,799.

(See worksheet in line 13 instructions to verify calculations)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See instructions)

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

			Yes	No
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	1a(1)		X
	(2) Other assets	1a(2)		X
b	Other transactions			
	(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
	(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
	(3) Rental of facilities, equipment, or other assets	1b(3)		X
	(4) Reimbursement arrangements	1b(4)		X
	(5) Loans or loan guarantees	1b(5)		X
	(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

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

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

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) is based on all information of which preparer has any knowledge

Signature of officer or trustee | Date 4.04.12 | Title President

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
JOSEPH JEZAK		5-1-12		P00731634

Firm's name ▶ JMW & ASSOCIATES, LLC

Firm's EIN ▶ 57-1224592

Firm's address ▶ 6400 GLENWOOD, SUITE 100
OVERLAND PARK, KS 66202

Phone no 913-499-4920

Schedule B
(Form 990, 990-EZ, or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ **Attach to Form 990, Form 990-EZ, or Form 990-PF.**

OMB No 1545-0047

2011

Name of the organization
THE WEARY FAMILY FOUNDATION

Employer identification number
48-1224093

Organization type (check one)

Filers of:	**Section:**
Form 990 or 990-EZ	☐ 501(c)( ) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☒ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule.**
Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule See instructions.

General Rule

☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, $5,000 or more (in money or property) from any one contributor Complete Parts I and II

Special Rules

☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3 % support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi) and received from any one contributor, during the year, a contribution of the greater of **(1)** $5,000 or **(2)** 2% of the amount on (i) Form 990, Part VIII, line 1h, or (ii) Form 990-EZ, line 1 Complete Parts I and II

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than $1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals Complete Parts I, II, and III

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc , purposes, but these contributions did not total to more than $1,000 If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc , purpose Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc , contributions of $5,000 or more during the year . . . . ▶ $ ____________

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2, of its Form 990, or check the box on line H of its Form 990-EZ or on Part I, line 2, of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF)

For Paperwork Reduction Act Notice, see the Instructions for Form 990, 990-EZ, or 990-PF **Schedule B (Form 990, 990-EZ, or 990-PF) (2011)**

Name of organization THE WEARY FAMILY FOUNDATION

Employer identification number 48-1224093

Part I **Contributors** (see instructions) Use duplicate copies of Part I if additional space is needed.

(a) No.	**(b) Name, address, and ZIP + 4**	**(c) Total contributions**	**(d) Type of contribution**
1	DALE J. WEARY TRUST C/O GIFFORD WEARY, 2731 ELGINFIELD RD COLUMBUS, OH 43220	$ 570,000.	**Person** ☒ **Payroll** ☐ **Noncash** ☐ (Complete Part II if there is a noncash contribution)
		$	**Person** ☐ **Payroll** ☐ **Noncash** ☐ (Complete Part II if there is a noncash contribution)
		$	**Person** ☐ **Payroll** ☐ **Noncash** ☐ (Complete Part II if there is a noncash contribution)
		$	**Person** ☐ **Payroll** ☐ **Noncash** ☐ (Complete Part II if there is a noncash contribution)
		$	**Person** ☐ **Payroll** ☐ **Noncash** ☐ (Complete Part II if there is a noncash contribution)
		$	**Person** ☐ **Payroll** ☐ **Noncash** ☐ (Complete Part II if there is a noncash contribution)

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)	
		TOTAL CAPITAL GAIN DISTRIBUTIONS					23,554.	
		BANK OF AMERICA PROPERTY TYPE: SECURITIES				P	VAR	VAR
773,744.		727,052. ATTACHMENT 14					46,692.	
		BANK OF AMERICA PROPERTY TYPE: SECURITIES				P	VAR	VAR
3,608,216.		2,835,940. ATTACHMENT 14					772,276.	
		BANK OF AMERICA SECURITIES LITIGATION PROPERTY TYPE: SECURITIES				P	VAR	VAR
434.							434.	
		GEORGE K BAUM CAPITAL PARTNERS LIQ TR K1					VAR	VAR
		79.					-79.	
		DOLL TECHNOLOGY INVESTMENT FUND II, LP K					VAR	VAR
		2,067.					-2,067.	
TOTAL GAIN(LOSS)		....					840,810.	

ATTACHMENT 1

FORM 990PF, PART I - INTEREST ON TEMPORARY CASH INVESTMENTS

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
BANK OF AMERICA	111,627.	111,627.
BANK OF AMERICA - US GOVT	2,625.	2,625.
DOLL TECH II K1	4.	4.
TOTAL	114,256.	114,256.

ATTACHMENT 2

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

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
BANK OF AMERICA	491,732.	491,732.
GEORGE K BAUM CAPITAL PARTNERS LIQ TR K1	1.	1.
TOTAL	491,733.	491,733.

ATTACHMENT 3

FORM 990PF, PART I - LEGAL FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
LATHROP & GAGE	1,378.	689.		689.
TOTALS	1,378.	689.		689.

THE WEARY FAMILY FOUNDATION

48-1224093

ATTACHMENT 4

FORM 990PF, PART I - ACCOUNTING FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME	CHARITABLE PURPOSES
JMW - TAX PREPARATION	7,960.	3,980.		3,980.
TOTALS	7,960.	3,980.		3,980.

ATTACHMENT 5

FORM 990PF, PART I - OTHER PROFESSIONAL FEES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
CROFT-LEOMINSTER INV FEE	55,466.	55,466.
BANK OF AMERICA INV FEE	26,445.	26,445.
TOTALS	81,911.	81,911.

ATTACHMENT 6

FORM 990PF, PART I - TAXES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
FOREIGN TAX EXPENSE	2,583.	2,583.
FEDERAL TAX PAID	10,000.	
TOTALS	12,583.	2,583.

ATTACHMENT 7

FORM 990PF, PART I - OTHER EXPENSES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	CHARITABLE PURPOSES
DOLL TECH II K1	4,646.	4,646.	
SECRETARY OF ST ANNUAL REPORT	40.	20.	20.
MISCELLANEOUS EXPENSE	2,604.	1,322.	1,282.
OFFICE EXPENSE	33.	17.	16.
GKB LIQUIDATING TRUST K1	318.	318.	
TOTALS	7,641.	6,323.	1,318.

ATTACHMENT 8

FORM 990PF, PART II - CORPORATE STOCK

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
U.S. TRUST - EQUITIES	10,353,813.	11,165,811.
U.S. TRUST - ALT. INVESTMENTS	136,328.	166,275.
TOTALS	10,490,141.	11,332,086.

ATTACHMENT 9

FORM 990PF, PART II - CORPORATE BONDS

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
U.S. TRUST - CORPORATE BONDS	5,138,360.	5,292,566.
TOTALS	5,138,360.	5,292,566.

ATTACHMENT 10

FORM 990PF, PART II - OTHER ASSETS

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
DOLL TECH II PARTNERSHIP INTER	79,052.	37,035.
TOTALS	79,052.	37,035.

ATTACHMENT 11

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

DESCRIPTION		AMOUNT
TAX COST ADJUSTMENT		-2,473.
	TOTAL	-2,473.

THE WEARY FAMILY FOUNDATION

48-1224093

ATTACHMENT 12

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

NAME AND ADDRESS	TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION			
ROBERT K. WEARY, JR. C/O GIFFORD WEARY 2731 ELGINFIELD ROAD COLUMBUS, OH 43220	DIRECTOR & PRESIDENT .50 / MONTH	0	0	0
GIFFORD WEARY C/O GIFFORD WEARY 2731 ELGINFIELD ROAD COLUMBUS, OH 43220	DIRECTOR & SECRETARY .50 / MONTH	0	0	0
DALE ANN CLORE C/O GIFFORD WEARY 2731 ELGINFIELD ROAD COLUMBUS, OH 43220	DIRECTOR & TREASURER .50 / MONTH	0	0	0
	GRAND TOTALS			

Recipient Name and Address	Relationship to Sustantial Contributor and Foundation Status of Recipient	Purpose of Grant or Contribution	Amount
United Way of Junction City - Geary County 814 N. Washington St. PO Box 567 Junction City, KS 66441	N/A Exempt - Public	Public Welfare	$ 5,000
United Way of Riley County P.O. Box 922 114 S. 4th St. Manhattan, KS 66502	N/A Exempt - Public	Public Welfare	$ 5,000
Friends of McCain 207 McCain Auditorium Manhattan, KS 66506-4711	N/A Exempt - Public	Educational	$ 20,000
Junction City Family YMCA P.O. Box 113 Junction City, KS 66441	N/A Exempt - Public	Public Welfare	$ 70,000
Little Theater Foundation, Inc P.O. Box 305 Junction City, KS 66441	N/A Exempt - Public	Educational	$ 10,000
KSU Foundation 2323 Anderson Avenue, Suite 500 Manhattan, KS 66502	N/A Exempt - Public	Educational	$ 45,000
KSU Foundation Department of Art 322 Willard Hall Manhattan, KS 66506	N/A Exempt - Public	Educational	$ 18,500

KSU Foundation Miles Fund - Veterinary Medical Teaching Hospital 2323 Anderson Avenue, Suite 500 Manhattan, KS 66502	N/A Exempt - Public	Educational	$	8,500
The Crisis Center. Inc. P O. Box 1526 Manhattan, KS 66505-1526	N/A Exempt - Public	Public Welfare	$	20,000
National Intercollegiate Rodeo Association Alumni 3415 Alta Vista Drive Laramie, WY 82072	N/A Exempt - Public	Public Welfare	$	10,000
Geary Community Healthcare Foundation P.O. Box 3015 Junction City, KS 66441	N/A Exempt - Public	Public Welfare	$	10,000
Symphony in the Flint Hills 311 Cottonwood Avenue Strong City, KS 66869	N/A Exempt - Public	Public Welfare	$	5,000
The Homecare & Hospice Foundation 3801 Vanesta Drive Manhattan, KS 66503	N/A Exempt - Public	Public Welfare	$	50,000
Republic County Hospital 2420 G Street Belleville, KS 66935	N/A Exempt - Public	Public Welfare	$	10,000
Belleville Public Library 1327 19th Street Belleville, KS 66935	N/A Exempt - Public	Public Welfare	$	7,000

ATTACHMENT 13

YMCA of The Rockies 2515 Tunnel Road Estes Park, CO 80511	N/A Exempt - Public	Public Welfare	$ 200,000
Mile High United Way 2505 18th Street Denver, CO 80211-3907	N/A Exempt - Public	Public Welfare	$ 25,000
First Presbyterian Church 113 W. 5th Street Junction City, Kansas 66441	N/A Exempt - Public	Public Welfare	$ 15,000
The Ohio State University Foundation 1480 W. Lane Avenue Columbus, OH 43221-3938	N/A Exempt - Public	Educational	$ 290,000
Animal Care Foundation 3550 South Jason Street Englewood, CO 80110	N/A Exempt - Public	Public Welfare	$ 5,000
Breeder Release Adoption Service P.O. Box 181 Boncarbo, CO 81024	N/A Exempt - Public	Public Welfare	$ 10,000
Harmony Horseworks 13639 Elsie Road Conifer, CO 80433	N/A Exempt - Public	Public Welfare	$ 5,000
Riley County Humane Society P O. Box 1202 Manhattan, KS 66505	N/A Exempt - Public	Public Welfare	$ 5,000

ATTACHMENT 13

Kansas 4-H Foundation 116 Umberger Hall, KSU Manhattan, KS 66506-3417	N/A Exempt - Public	Public Welfare	$ 30,000
KU Endowment P.O. Box 928 Lawrence, KS 66044-0928	N/A Exempt - Public	Educational	$ 10,000
Flint Hills Breadbasket 905 Yuma Manhattan, KS 66502	N/A Exempt - Public	Public Welfare	$ 5,000
Circle L Ranch Animal Rescue C/O Feathers Foundation 5101 West Fairview Street Chandler, AZ 85226	N/A Exempt - Public	Public Welfare	$ 5,000
Total Contributions			$ 899,000

Proceeds From Broker Transactions

This section reports your proceeds from sales during the year. We report all transactions on a trade-date basis, which is the date shown in the sale date column The net proceeds are less commissions, transfer charges, and premiums.

We have adjusted tax costs for amortization of premium paid for the acquisition of municipal bonds through date of sale and for non-taxable dividends An asterisk symbol (*) next to the tax cost indicates that the tax cost has been adjusted for the current year's return of capital. However, we have made adjustments to the cost basis of all partnerships.

Short term transactions

This category includes sales of assets held 12 months or less.

Description	Cusip	Number of shares	Date of acquisition	Sale date	Sales price or pass through gain	Cost, other basis or pass through loss	Net gain or loss
PETROMINERALES LTD	71673R107	0 03	01/10/11	01/19/11	$1 06	$1 02	$0 04
NALCO CO	629855AH0	60000	03/30/10	01/20/11	$60,887 40	$62,130 00	$-1,242 60
SILVER WHEATON CORP	828336107	1304	03/24/10	01/24/11	$39,827 83	$19,997 10	$19,830 73
UNITED STATES TREAS NT	912828KE9	350000	05/21/10	02/28/11	$350,000 00	$351,476 56	$-1,476 56
BEST BUY INC	086516101	500	04/19/10	03/30/11	$14,559 37	$22,454 00	$-7,894 63
QIAGEN N V	N72482107	1400	04/19/10	04/01/11	$28,250 76	$33,233 20	$-4,982 44
HEWLETT PACKARD CO	428236103	1540	08/26/10	05/02/11	$61,637 32	$59,192 67	$2,444 65
HEWLETT PACKARD CO	428236103	523	03/21/11	05/02/11	$20,932 67	$21,986 39	$-1,053 72
INMET MNG CORP	457983104	643	11/15/10	05/19/11	$43,865 06	$39,973 63	$3,891 43
NALCO HLDG CO	62985Q101	2010	02/02/11	07/21/11	$72,777 68	$55,540 32	$17,237 36
NALCO HLDG CO	62985Q101	2210	02/02/11	07/22/11	$81,004 66	$61,066 72	$19,937 94
Total short term gain/loss from sales:					$773,743.81	$727,051 61	$46,692 20

ATTACHMENT 14

Short term transactions with loss disallowed due to wash sale

This category includes sales of assets held 12 months or less

Description	Cusip	Number of shares	Date of acquisition	Sale date	Sales price or pass through gain	Cost, other basis or pass through loss	Net gain or loss	Wash sale loss disallowed
CITIGROUP INC	172967424	0 9	12/09/10	05/31/11	$36 37	$42 39	$-6 02	$6 02
Total short term gain/loss from sales:					$36 37	$42 39	$-6 02	
Total short term loss disallowed from wash sales:								$6 02

Long term transactions

This category includes sales of assets held more than 12 months

Description	Cusip	Number of shares	Date of acquisition	Sale date	Sales price or pass through gain	Cost, other basis or pass through loss	Net gain or loss
CB RICHARD ELLIS GROUP INC CL A	12497T101	5212	02/02/09	01/19/11	$115,315 88	$18,137 24	$97,178.64
CEPHALON INC	156708109	500	08/18/09	01/19/11	$29,593 67	$28,097 55	$1,496.12
CEPHALON INC	156708109	500	06/17/09	01/19/11	$29,593.68	$28,925 00	$668.68
CEPHALON INC	156708109	47	05/19/06	01/19/11	$2,781 81	$2,742 98	$38 83
FLUOR CORP (NEW)-WI	343412102	896	12/14/09	01/19/11	$63,425 10	$35,973 50	$27,451.60
ATLAS ENERGY INC	049298102	2546	05/04/09	01/31/11	$112,233 15	$43,063 30	$69,169 85
ATLAS ENERGY INC	049298102	808	12/22/09	01/31/11	$35,618 38	$25,494 02	$10,124 36
CB RICHARD ELLIS GROUP INC CL A	12497T101	4516	02/02/09	02/15/11	$113,846 61	$15,715 23	$98,131 38
TYCO INTL GROUP S A NTS	902118AY4	180000	07/21/09	02/15/11	$180,000 00	$190,018 80	$-10,018 80
CB RICHARD ELLIS GROUP INC CL A	12497T101	2335	02/02/09	02/16/11	$59,190 41	$8,125 56	$51,064 85
CISCO SYSTEM INC	17275R102	1700	08/26/08	02/17/11	$31,660 18	$49,000 01	$-17,339 83
CISCO SYSTEM INC	17275R102	7601	08/26/08	02/17/11	$141,488 36	$219,087 68	$-77,599.32
GENERAL CABLE CORP DEL NEW	369300108	46	05/02/07	02/25/11	$1,968.03	$2,882 54	$-914.51
WEYERHAEUSER CO	962166104	1040	08/26/08	02/25/11	$25,017 86	$53,221 39	$-28,203.53
WEYERHAEUSER CO	962166104	33	08/11/06	02/25/11	$793 84	$1,832.09	$-1,038.25
WEYERHAEUSER CO	962166104	32	07/17/06	02/25/11	$769 78	$1,855 26	$-1,085 48

ATTACHMENT 14

U.S. TRUST

Bank of America Private Wealth Management

CUST THE WEARY FAMILY FOUNDATION

2011 Tax Information Letter

Account Number 011010319749

Long term transactions

This category includes sales of assets held more than 12 months

Description	Cusip	Number of shares	Date of acquisition	Sale date	Sales price or pass through gain	Cost, other basis or pass through loss	Net gain or loss
GENERAL CABLE CORP DEL NEW	369300108	25	06/26/07	02/25/11	$1,069 58	$1,922 20	$-852 62
WEYERHAEUSER CO	962166104	601	11/03/09	02/25/11	$14,457 43	$21,842 99	$-7,385 56
GENERAL CABLE CORP DEL NEW	369300108	70	04/16/07	02/25/11	$2,994 82	$3,902 88	$-908 06
GENERAL CABLE CORP DEL NEW	369300108	812	08/26/08	02/25/11	$34,739 93	$40,734 00	$-5,994 07
GENERAL CABLE CORP DEL NEW	369300108	318	07/02/09	02/25/11	$13,605 05	$12,219 79	$1,385 26
WEYERHAEUSER CO	962166104	48 75	01/23/07	02/25/11	$1,172 59	$3,640 60	$-2,468 01
WEYERHAEUSER CO	962166104	0 26	01/15/07	02/25/11	$6 13	$18 96	$-12 83
WEYERHAEUSER CO	962166104	49	04/18/06	02/25/11	$1,178 73	$3,586 07	$-2,407 34
WEYERHAEUSER CO	962166104	21	12/18/06	02/25/11	$505 17	$1,506 23	$-1,001 06
WEYERHAEUSER CO	962166104	16	12/11/06	02/25/11	$384 89	$1,054 77	$-669 88
WEYERHAEUSER CO	962166104	28	08/24/06	02/25/11	$673 56	$1,710 28	$-1,036 72
UNITEDHEALTH GROUP INC	91324PAP7	175000	08/12/09	03/15/11	$175,000 00	$182,017 50	$-7,017 50
BECKMAN COULTER INC	075811109	1000	08/26/08	03/21/11	$82,819 71	$74,835 00	$7,984 71
BECKMAN COULTER INC	075811109	500	04/08/08	03/21/11	$41,409 85	$33,175 20	$8,234 65
BEST BUY INC	086516101	1172	03/26/10	03/30/11	$34,127 16	$50,559 26	$-16,432 10
QIAGEN N V	N72482107	1508	08/26/08	04/01/11	$30,430 10	$31,992 00	$-1,561 90
QIAGEN N V	N72482107	94	05/19/06	04/01/11	$1,896 84	$1,272 21	$624.63
QIAGEN N V	N72482107	166	03/07/05	04/01/11	$3,349 73	$2,079 52	$1,270 21
ALLEGHENY TECHNOLOGIES INC	01741R102	500	11/03/09	05/02/11	$35,329 12	$15,235 00	$20,094.12
ALLEGHENY TECHNOLOGIES INC	01741R102	2200	08/06/09	05/02/11	$155,448 13	$63,794 50	$91,653 63
NEXEN INC	65334H102	1121	08/26/08	05/03/11	$29,186 13	$35,496 00	$-6,309 87
NEXEN INC	65334H102	3000	06/29/09	05/03/11	$78,107 39	$65,400 60	$12,706 79
NEXEN INC	65334H102	1500	08/18/09	05/03/11	$39,053 70	$30,869 85	$8,183 85
NEXEN INC	65334H102	275	08/10/04	05/03/11	$7,159 84	$2,527 39	$4,632 45
HESS CORP	42809H107	773	01/06/10	05/04/11	$59,409 56	$49,800 60	$9,608 96
BHP LTD SPONSORED ADR	088606108	300	07/02/09	05/04/11	$28,976 44	$15,989 55	$12,986 89

ATTACHMENT 14

CUST THE WEARY FAMILY FOUNDATION

2011 Tax Information Letter

Account Number 011010319749

Long term transactions

This category includes sales of assets held more than 12 months

Description	Cusip	Number of shares	Date of acquisition	Sale date	Sales price or pass through gain	Cost, other basis or pass through loss	Net gain or loss
BHP LTD SPONSORED ADR	088606108	525	06/10/09	05/04/11	$50,708 77	$32,411 72	$18,297 05
BHP LTD SPONSORED ADR	088606108	400	11/03/09	05/04/11	$38,635 26	$26,104 00	$12,531 26
DEERE & CO	244199105	470	06/29/09	05/04/11	$43,749 57	$19,959 35	$23,790 22
DEERE & CO	244199105	421	08/26/08	05/04/11	$39,188 45	$30,524 00	$8,664 45
CHEVRONTEXACO CORP	166764100	2000	08/26/08	05/04/11	$208,400 19	$171,010 00	$37,390.19
ICON PUB LTD CO SPONSORED ADR	45103T107	3000	12/28/09	05/05/11	$71,963 21	$69,365 10	$2,598.11
GENERAL CABLE CORP DEL NEW	369300108	500	06/17/09	05/19/11	$20,039 01	$17,896 00	$2,143.01
GENERAL CABLE CORP DEL NEW	369300108	400	08/31/09	05/19/11	$16,031 21	$14,113 32	$1,917 89
GENERAL CABLE CORP DEL NEW	369300108	42	08/17/09	05/19/11	$1,683 28	$1,415 70	$267 58
GENERAL CABLE CORP DEL NEW	369300108	682	07/02/09	05/19/11	$27,333.21	$26,207 21	$1,126 00
GENERAL CABLE CORP DEL NEW	369300108	500	06/29/09	05/19/11	$20,039 02	$18,973 00	$1,066.02
WEYERHAEUSER CO NT	962166BP8	110000	06/03/09	06/02/11	$115,439 50	$110,000 00	$5,439.50
COLLECTIVE BRANDS INC	19421W100	1779	08/26/08	06/24/11	$25,607 50	$23,038 00	$2,569 50
COLLECTIVE BRANDS INC	19421W100	2000	06/17/09	06/24/11	$28,788 64	$26,795 00	$1,993.64
COLLECTIVE BRANDS INC	19421W100	1000	08/17/09	06/24/11	$14,394.32	$14,088 60	$305.72
COLLECTIVE BRANDS INC	19421W100	1000	08/27/09	06/24/11	$14,394 32	$14,837 90	$-443.58
COLLECTIVE BRANDS INC	19421W100	222	12/10/07	06/24/11	$3,195 54	$4,147 47	$-951.93
COLLECTIVE BRANDS INC	19421W100	109	06/28/07	06/24/11	$1,568 98	$3,536 43	$-1,967.45
COLLECTIVE BRANDS INC	19421W100	72	08/27/07	06/24/11	$1,036 39	$1,847 53	$-811 14
XEROX CORP	984121BN2	50000	03/30/10	08/15/11	$50,000 00	$53,289 50	$-3,289.50
DIRECTV	25490A101	40 01	08/23/02	09/21/11	$1,683 67	$386 77	$1,296.90
DIRECTV	25490A101	40 01	11/05/02	09/21/11	$1,683 66	$390 22	$1,293 44
DIRECTV	25490A101	6 4	12/02/02	09/21/11	$269 38	$66 87	$202.51
DIRECTV	25490A101	80 01	12/05/03	09/21/11	$3,367 32	$925.25	$2,442.07
DIRECTV	25490A101	37 61	12/17/03	09/21/11	$1,582 62	$458 19	$1,124 43
DIRECTV	25490A101	1458 97	08/26/08	09/21/11	$61,399 36	$34,555 21	$26,844.15

ATTACHMENT 14

Long term transactions

This category includes sales of assets held more than 12 months.

Description	Cusip	Number of shares	Date of acquisition	Sale date	Sales price or pass through gain	Cost, other basis or pass through loss	Net gain or loss
DIRECTV	25490A101	600	03/09/10	09/21/11	$25,250 51	$20,812 56	$4,437 95
BECTON DICKINSON & COMPANY	075887109	614	12/14/09	09/21/11	$45,535 70	$47,989 75	$-2,454 05
BECTON DICKINSON & COMPANY	075887109	700	04/19/10	09/21/11	$51,913 66	$55,006 00	$-3,092 34
BANK NEW YORK MELLON CORP	064058100	2500	07/22/09	09/21/11	$49,296 80	$66,973 25	$-17,676 45
BANK NEW YORK MELLON CORP	064058100	1000	08/18/09	09/21/11	$19,718 72	$28,590 00	$-8,871 28
BANK NEW YORK MELLON CORP	064058100	500	04/19/10	09/21/11	$9,859 36	$15,960 65	$-6,101 29
CIGNA CORP	125509BG3	70000	03/30/10	10/15/11	$70,000 00	$74,660 60	$-4,660 60
VENOCO INC	92275P307	2387	04/28/10	11/02/11	$20,669 83	$36,108 63	$-15,438 80
VENOCO INC	92275P307	93	04/30/10	11/02/11	$805 32	$1,407 33	$-602 01
WEATHERFORD INTL INC	947074AD2	135000	08/12/09	11/15/11	$135,000 00	$144,946 80	$-9,946 80
PHARMACEUTICAL PROD DEV INC	717124101	700	08/18/09	12/06/11	$23,275 00	$13,570 66	$9,704 34
PHARMACEUTICAL PROD DEV INC	717124101	1000	09/08/09	12/06/11	$33,250 00	$19,717 16	$13,532 84
PHARMACEUTICAL PROD DEV INC	717124101	1500	06/17/09	12/06/11	$49,875 00	$32,712 88	$17,162 12
PHARMACEUTICAL PROD DEV INC	717124101	898	08/26/08	12/06/11	$29,858 50	$35,581 12	$-5,722 62
PHARMACEUTICAL PROD DEV INC	717124101	161	01/02/04	12/06/11	$5,353 25	$2,103 84	$3,249 41
BRIGHAM EXPL CO	109178103	1996	09/22/09	12/09/11	$72,854 00	$20,370 18	$52,483 82
BRIGHAM EXPL CO	109178103	7883	07/20/09	12/09/11	$287,729 50	$31,731 44	$255,998 06
Total long term gain/loss from sales:					$3,608,215 85	$2,835,940 29	$772,275 56

ATTACHMENT 14

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

2011

Name of estate or trust	Employer identification number
THE WEARY FAMILY FOUNDATION	48-1224093

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						

b	Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b	1b	46,692.
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 2010 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	46,692.

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						

b	Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b	6b	770,564.
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	23,554.
10	Gain from Form 4797, Part I	10	
11	Long-term capital loss carryover Enter the amount, if any, from line 14 of the 2010 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	794,118.

Part III Summary of Parts I and II

Caution: *Read the instructions before completing this part.*

			(1) Beneficiaries' (see instr)	(2) Estate's or trust's	(3) Total
13	**Net short-term gain or (loss)**	13			46,692.
14	**Net long-term gain or (loss):**				
a	Total for year	14a			794,118.
b	Unrecaptured section 1250 gain (see line 18 of the wrksht)	14b			
c	28% rate gain	14c			
15	**Total net gain or (loss).** Combine lines 13 and 14a ▶	15			840,810.

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

Part IV Capital Loss Limitation

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
a The loss on line 15, column (3) **or** b $3,000 16 ( )

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** *in 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* **Schedule D Tax Worksheet** *in 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 **Schedule D Tax Worksheet** in 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 2011 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 2011 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-1 (Form 1041)

Department of the Treasury
Internal Revenue Service

Continuation Sheet for Schedule D (Form 1041)

▶ See instructions for Schedule D (Form 1041).
▶ Attach to Schedule D to list additional transactions for lines 1a and 6a.

OMB No 1545-0092

2011

Name of estate or trust: THE WEARY FAMILY FOUNDATION

Employer identification number: 48-1224093

Part I **Short-Term Capital Gains and Losses - Assets Held One Year or Less**

	(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)
1a	ATTACHMENT 14 BANK OF AMERICA	VAR	VAR	773,744.	727,052.	46,692.

1b Total. Combine the amounts in column (f) Enter here and on Schedule D, line 1b . . . . 46,692.

For Paperwork Reduction Act Notice, see the Instructions for Form 1041. **Schedule D-1 (Form 1041) 2011**

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1F1221 2 000

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

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

ATTACHMENT 14

	(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	BANK OF AMERICA	VAR	VAR	3,608,216.	2,835,940.	772,276.
	BANK OF AMERICA SECURITIES LITIGATION	VAR	VAR	434.		434.
	GEORGE K BAUM CAPITAL PARTNERS LIQ TR K1	VAR	VAR		79.	-79.
	DOLL TECHNOLOGY INVESTMENT FUND II, LP K1	VAR	VAR		2,067.	-2,067.
6b	**Total.** Combine the amounts in column (f) Enter here and on Schedule D, line 6b					770,564.

Schedule D-1 (Form 1041) 2011