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

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

2011

For calendar year 2011 or tax year beginning

, 2011, and ending

, 20

Name of foundation <b>Trust u/w Forest L. Garrison</b> Number and street (or P O box number if mail is not delivered to street address) <b>United Bank, Trustee P.O. Box 393</b> City or town, state, and ZIP code <b>Charleston WV 25322-0393</b>		A Employer identification number <b>55-6013642</b> B Telephone number (see instructions) <b>304-348-8400</b>		
<b>G</b> Check all that apply. <input type="checkbox"/> Initial return <input type="checkbox"/> Initial return of a former public charity <input type="checkbox"/> Final return <input type="checkbox"/> Amended return <input type="checkbox"/> Address change <input type="checkbox"/> Name change		<b>C</b> If exemption application is pending, check here ► <input type="checkbox"/> <b>D</b> 1. Foreign organizations, check here ► <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation ► <input type="checkbox"/> <b>E</b> If private foundation status was terminated under section 507(b)(1)(A), check here ► <input type="checkbox"/> <b>F</b> If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ► <input type="checkbox"/>		
<b>H</b> Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation				
<b>I</b> Fair market value of all assets at end of year (from Part II, col. (c), line 16) ► <b>\$ 1,675,122</b> (Part I, column (d) must be on cash basis)		<b>J</b> Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify)		
<b>Part I Analysis of Revenue and Expenses</b> (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
Revenue		(d) Disbursements for charitable purposes (cash basis only)		
1 Contributions, gifts, grants, etc., received (attach schedule)				
2 Check ► <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
3 Interest on savings and temporary cash investments				
4 Dividends and interest from securities . . . . .	63,241	63,241		
5a Gross rents . . . . .				
b Net rental income or (loss) . . . . .				
6a Net gain or (loss) from sale of assets not on line 10	30,950			
b Gross sales price for all assets on line 6a 411,820				
7 Capital gain net income (from Part IV, line 2) . . . . .		30,950		
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) . . . . .	0			
11 Other income (attach schedule) . . . . .	94,191	94,191	0	
12 Total. Add lines 1 through 11	RECEIVED			
13 Compensation of officers, directors, trustees, etc . . . . .	18,893	17,948		945
14 Other employee salaries and wages 2012 . . . . .				
15 Pension plans, employee benefits . . . . .				
16a Legal fees (attach schedule) . . . . .	2,871	2,871		
b Accounting fees (attach schedule) . . . . .				
c Other professional fees (attach schedule) . . . . .				
17 Interest . . . . .				
18 Taxes (attach schedule) (see instructions) . . . . .	1,200			
19 Depreciation (attach schedule) and depletion . . . . .				
20 Occupancy . . . . .				
21 Travel, conferences, and meetings . . . . .				
22 Printing and publications . . . . .				
23 Other expenses (attach schedule) . . . . .				
24 Total operating and administrative expenses.				
Add lines 13 through 23 . . . . .	22,964	20,819	0	945
25 Contributions, gifts, grants paid . . . . .	63,670			63,670
26 Total expenses and disbursements. Add lines 24 and 25	86,634	20,819	0	64,615
27 Subtract line 26 from line 12:				
a Excess of revenue over expenses and disbursements	7,557			
b Net investment income (if negative, enter -0-) . . . . .		73,372		
c Adjusted net income (if negative, enter -0-) . . . . .			0	

Assets	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	
	1 Cash—non-interest-bearing					
	2 Savings and temporary cash investments		47,496	44,055	44,055	
	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					
	10a Investments—U.S. and state government obligations (attach schedule)					
	b Investments—corporate stock (attach schedule)					
	c Investments—corporate bonds (attach schedule)		286,810	236,785	260,598	
	11 Investments—land, buildings, and equipment basis ►					
	Less: accumulated depreciation (attach schedule) ►					
	12 Investments—mortgage loans					
	13 Investments—other (attach schedule)		1,279,713	1,341,821	1,370,469	
	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)		1,614,019	1,622,661	1,675,122	
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	0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ► <input type="checkbox"/>					
	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 ► <input type="checkbox"/>					
	and complete lines 27 through 31.					
	27 Capital stock, trust principal, or current funds		931,127	931,127		
	28 Paid-in or capital surplus, or land, bldg., and equipment fund					
	29 Retained earnings, accumulated income, endowment, or other funds		682,892	691,534		
	30 Total net assets or fund balances (see instructions)		1,614,019	1,622,661		
	31 Total liabilities and net assets/fund balances (see instructions)		1,614,019	1,622,661		

## 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	1,614,019
2 Enter amount from Part I, line 27a	2	7,557
3 Other increases not included in line 2 (itemize) ► Adj. for accrued items	3	1,085
4 Add lines 1, 2, and 3	4	1,622,661
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	1,622,661

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

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co.)			(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
<b>1a</b> See attached schedule					
<b>b</b>					
<b>c</b>					
<b>d</b>					
<b>e</b>					
<b>(e) Gross sales price</b>	<b>(f) Depreciation allowed (or allowable)</b>	<b>(g) Cost or other basis plus expense of sale</b>	<b>(h) Gain or (loss) (e) plus (f) minus (g)</b>		
<b>a</b>			0		
<b>b</b>					
<b>c</b>					
<b>d</b>					
<b>e</b>					
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69					
<b>(i) F M V as of 12/31/69</b>	<b>(j) Adjusted basis as of 12/31/69</b>	<b>(k) Excess of col (i) over col (j), if any</b>	<b>(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))</b>		
<b>a</b>					
<b>b</b>					
<b>c</b>					
<b>d</b>					
<b>e</b>					
<b>2 Capital gain net income or (net capital loss)</b>	<b>{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }</b>		<b>2</b>	30,950	
<b>3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c) (see instructions). If (loss), enter -0- in Part I, line 8 . . . . .</b>			<b>3</b>	2,966	

**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	69,641	1,664,379	0.0418
2009	59,468	1,535,244	0.0387
2008	96,701	1,731,091	0.0559
2007	72,040	1,919,921	0.0375
2006	71,005	1,837,605	0.0386
<b>2 Total of line 1, column (d)</b>			<b>2</b> 0.2125
<b>3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years</b>			<b>3</b> .0425
<b>4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5</b>			<b>4</b> 1,698,257
<b>5 Multiply line 4 by line 3</b>			<b>5</b> 72,176
<b>6 Enter 1% of net investment income (1% of Part I, line 27b)</b>			<b>6</b> 734
<b>7 Add lines 5 and 6</b>			<b>7</b> 72,910
<b>8 Enter qualifying distributions from Part XII, line 4</b>			<b>8</b> 62,936
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 ► <input type="checkbox"/> and enter "N/A" on line 1. Date of ruling or determination letter. _____ (attach copy of letter if necessary—see instructions)	1	1,467
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► <input type="checkbox"/> and enter 1% of Part I, line 27b		
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	1,467
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	
5	<b>Tax based on investment income.</b> Subtract line 4 from line 3. If zero or less, enter -0-	5	1,467
6	<b>Credits/Payments:</b>		
a	2011 estimated tax payments and 2010 overpayment credited to 2011	6a	1,406
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	1,406
8	Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> 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	61
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	0
11	Enter the amount of line 10 to be: Credited to 2012 estimated tax ► Refunded ►	11	0

**Part VII-A Statements 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
1b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	x	
1c	<i>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.</i>	x	
c	Did the foundation file Form 1120-POL for this year?		
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. ► \$ <u>00</u> (2) On foundation managers. ► \$ <u>0</u>		
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ► \$ <u>0</u>		
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If "Yes," attach a detailed description of the activities.</i>	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? <i>If "Yes," attach a conformed copy of the changes</i>	x	
4a	Did the foundation have unrelated business gross income of \$1,000 or more during the year?		
b	If "Yes," has it filed a tax return on Form 990-T for this year?	x	
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If "Yes," attach the statement required by General Instruction T.</i>		
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	x	
7	Did the foundation have at least \$5,000 in assets at any time during the year? <i>If "Yes," complete Part II, col. (c), and Part XV</i>	x	
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ► <u>West Virginia</u>		
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	x	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2011 or the taxable year beginning in 2011 (see instructions for Part XIV)? If "Yes," complete Part XIV	x	
10	Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>	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? Website address ► N/A	13	x
14	The books are in care of ► United National Bank Trust Located at ► United Center, Virginia Street, Charleston, WV ZIP+4 ► 25301	Telephone no ► 304-348-8400	
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	► 15
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? See the instructions for exceptions and filing requirements for Form TD F 90-22 1. If "Yes," enter the name of the foreign country ►	16	Yes No x

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

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.		Yes	No
<b>1a</b>	During the year did the foundation (either directly or indirectly):		
(1)	Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(6)	Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>b</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)? Organizations relying on a current notice regarding disaster assistance check here ►	1b	
<b>c</b>	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	
<b>2</b>	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))		
<b>a</b>	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? If "Yes," list the years ► 20____, 20____, 20____, 20____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>b</b>	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see instructions.)	2b x	
<b>c</b>	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____		
<b>3a</b>	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>b</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	
<b>4a</b>	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a x	
<b>b</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	

**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:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	(3) Provide a grant to an individual for travel, study, or other similar purposes?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		5b
	Organizations relying on a current notice regarding disaster assistance check here ► <input type="checkbox"/>			
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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		6b x
If "Yes" to 6b, file Form 8870.				
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b	If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		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 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
United Bank, Trustee P.O. Box 393, Charleston, WV 2322	Trustee--as needed	18,893	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 ►

**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		
<b>Total number of others receiving over \$50,000 for professional services</b>		►

**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	N/A	
2		
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	N/A	
2		
3	All other program-related investments. See instructions	
<b>Total. Add lines 1 through 3</b>		0

**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	1,660,137
b	Average of monthly cash balances	1b	63,982
c	Fair market value of all other assets (see instructions)	1c	
d	<b>Total</b> (add lines 1a, b, and c)	1d	1,724,119
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	1,724,119
4	Cash deemed held for charitable activities. Enter 1½ % of line 3 (for greater amount, see instructions)	4	25,862
5	<b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,698,257
6	<b>Minimum investment return.</b> Enter 5% of line 5	6	84,913

**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	84,913
2a	Tax on investment income for 2011 from Part VI, line 5	2a	1,467
b	Income tax for 2011. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	1,467
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	83,446
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	83,446
6	Deduction from distributable amount (see instructions)	6	16,689
7	<b>Distributable amount as adjusted</b> Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	66,757

**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	63,670
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	<b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	63,670
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	
6	<b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4	6	63,670

**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 . . . . .				66,757
2 Undistributed income, if any, as of the end of 2011.				
a Enter amount for 2010 only . . . . .			43,921	
b Total for prior years: 20 20 20 . . . . .				
3 Excess distributions carryover, if any, to 2011:				
a From 2006 . . . . .				
b From 2007 . . . . .				
c From 2008 . . . . .				
d From 2009 . . . . .				
e From 2010 . . . . .				
f Total of lines 3a through e . . . . .	0			
4 Qualifying distributions for 2011 from Part XII, line 4 ► \$ 63,670				
a Applied to 2010, but not more than line 2a . . . . .			43,921	
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 . . . . .				19,749
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).)				
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 . . . . .				
d Subtract line 6c from line 6b. Taxable amount—see instructions . . . . .		0		
e Undistributed income for 2010. Subtract line 4a from line 2a Taxable amount—see instructions . . . . .				0
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 . . . . .	0			
10 Analysis of line 9.				
a Excess from 2007 . . . . .				
b Excess from 2008 . . . . .				
c Excess from 2009 . . . . .				
d Excess from 2010 . . . . .				
e Excess from 2011 . . . . .				

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

<b>1a</b>	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>b</b>	Check box to indicate whether the foundation is a private operating foundation described in section <input type="checkbox"/> 4942(j)(3) or <input type="checkbox"/> 4942(j)(5)				
<b>2a</b>	Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed				
<b>b</b>	85% of line 2a				
<b>c</b>	Qualifying distributions from Part XII, line 4 for each year listed				
<b>d</b>	Amounts included in line 2c not used directly for active conduct of exempt activities				
<b>e</b>	Qualifying distributions made directly for active conduct of exempt activities				
	Subtract line 2d from line 2c				
<b>3</b>	Complete 3a, b, or c for the alternative test relied upon				
<b>a</b>	"Assets" alternative test—enter				
(1)	Value of all assets				
(2)	Value of assets qualifying under section 4942(j)(3)(B)(i)				
<b>b</b>	"Endowment" alternative test—enter $\frac{2}{3}$ of minimum investment return shown in Part X, line 6 for each year listed				
<b>c</b>	"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).)

NA

**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.

NA

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

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

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

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

**c** Any submission deadlines:

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

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

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
<b>Name and address (home or business)</b>				
<b>a Paid during the year</b>				
Borough of Shickshinney, PA		Public body	General support of citizens of Shickshinney	63,670
<b>Total</b>			► 3a	63,670
<b>b Approved for future payment</b>				
<b>Total</b>			► 3b	0

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.

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						
4 Dividends and interest from securities				14	63,241	
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	30,950	
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		94,191	0
13 Total. Add line 12, columns (b), (d), and (e)				13		94,191

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

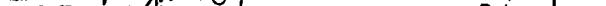
**Part XVII** **Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations**

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?		Yes	No
a	Transfers from the reporting foundation to a noncharitable exempt organization.	1a(1)	x
	(1) Cash . . . . .	1a(2)	x
	(2) Other assets . . . . .		
b	Other transactions:	1b(1)	x
	(1) Sales of assets to a noncharitable exempt organization . . . . .	1b(2)	x
	(2) Purchases of assets from a noncharitable exempt organization . . . . .	1b(3)	x
	(3) Rental of facilities, equipment, or other assets . . . . .	1b(4)	x
	(4) Reimbursement arrangements . . . . .	1b(5)	x
	(5) Loans or loan guarantees . . . . .	1b(6)	x
	(6) Performance of services or membership or fundraising solicitations . . . . .		
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.		

**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

<b>Sign Here</b>	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		
 <b>Marilyn L. Anna, Trust Advisor</b>		Date	Title
Signature of officer or trustee		15/14/12	Trust Advisor, United Bank
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

<b>Paid Preparer Use Only</b>	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	John F. Allevato	<i>John F. Allevato</i>	5/8/12		P01083380
	Firm's name ► Spilman Thomas & Battle, PLLC	Firm's EIN ► 55-0282458			
Firm's address ► P.O. Box 273, Charleston, WV 25321-0273	Phone no 304-340-3885				

**TRUST U/W FOREST L. GARRISON  
E.I.N. 55-6013642  
TAX YEAR 2011  
FORM 990-PF**

**PART I - ANALYSIS OF REVENUE AND EXPENSES**

**Line 13-Compensation of Trustee**

Fees paid to the Trustee, United National Bank, are allocated 5% to grants made to the trust's sole beneficiary, the borough of Shickshinney, Pennsylvania, based on an estimate of time involved and general overhead attributable to dealing with the beneficiary, handling distributions to a bank in Shickshinney for the benefit of the Borough, determining the amount of the distribution and the amount to be added to principal in accordance with the trust instrument, and other related duties. **\$18,893**

**Line 16a-Legal Fees**

Preparation of Tax Returns and related services **\$ 2,871**

40406

TRUST U/W FOREST L. GARRISON

E.I.N. 55-6013642

Tax Year 2011

Form 990-PF

PART II-Balance Sheet-Line 10c-Corporate Bonds

	<u>Beginning of Year</u>	<u>End of Year</u>	
	<u>Book Value</u>	<u>Book Value</u>	<u>Fair Market Value</u>
\$50,000 SBC 5.1% due 9/15/14	\$ 49,752	\$ 49,752	\$ 55,072
\$100,000 GE Corp. 5.25% due 12/6/2017	\$ 97,782	\$ 97,782	\$ 114,776
\$50,000 Goldman Sachs 5.95% due 1/18/2018	\$ 49,251	\$ 49,251	\$ 51,211
\$40,000 Morgan Stanley Flt Rate due 11/01/13	\$ 40,000	\$ 40,000	\$ 39,539
\$50,000 Target Corp. 6.35% due 01/15/11	\$ 50,025	\$ -	\$ -
<b>Totals</b>	<b>\$ 286,810</b>	<b>\$ 236,785</b>	<b>\$ 260,598</b>

PART II-Balance Sheet-Line 13-Investments-Other

	<u>Beginning of Year</u>	<u>End of Year</u>	
	<u>Book Value</u>	<u>Book Value</u>	<u>Fair Market Value</u>
2473 829 units Federated Cap Appr Fund	\$ 40,920	\$ -	\$ -
232.001 units Riverpark/Wedgewood Fund	\$ -	\$ 24,837	\$ 26,836
4136.962 units Vanguard Div Growth Fund	\$ 26,415	\$ 56,741	\$ 63,792
10,082 151 T.Rowe Price Hi Yld Fund	\$ 66,038	\$ -	\$ -
8174.476 units JPMorgan Chase Mtg Bk Sec Fd	\$ 92,453	\$ -	\$ -
12,768 759 units Federated Strat Value Fd.	\$ 55,143	\$ 60,799	\$ 62,056
317.532 units Baron Growth Fund	\$ 11,012	\$ 11,843	\$ 16,305
1569 103 units Natixis Vaughn Nelson SmCap	\$ 22,507	\$ 32,049	\$ 28,228
2311 145 units Royce Micro Cap Inv Fund	\$ 24,605	\$ 32,801	\$ 33,604
1721.298 units Royce Total Return Fund	\$ 18,311	\$ 17,069	\$ 21,757
1490 824 units Cambier Opp. Fund	\$ -	\$ 24,837	\$ 24,837
38,285.369 units Federated Tot Return Instl	\$ 353,427	\$ 417,903	\$ 431,859
7467.8689 units Loomis Sayles Fds InvGr Bond	\$ 87,452	\$ -	\$ -
39,580.664 units Pimco Total Return Fund	\$ 350,376	\$ 431,556	\$ 430,242
10,696.310 units Federated Strat. Income Fund	\$ -	\$ 97,550	\$ 96,160
811.196 units Acadian Emg Mkts Portfolio	\$ 10,884	\$ 13,307	\$ 12,906
524.526 units Harbor Intl Fund	\$ 22,429	\$ 26,088	\$ 27,512
962 642 units Harding Loevner Emg. Mkt Fund	\$ 30,349	\$ 38,667	\$ 40,787
1301.472 units Harding Loevner Global Eq Fund	\$ 24,272	\$ 28,059	\$ 28,815
3736.447 units Manning and Napier Wrl Opp	\$ 22,667	\$ 27,715	\$ 24,773
776.009 units American Funds Growth Fd.	\$ 20,453	\$ -	\$ -
<b>Totals</b>	<b>\$ 1,279,713</b>	<b>\$ 1,341,821</b>	<b>\$ 1,370,469</b>

Trust UW Forrest L. Garrison  
 Form 990-PF  
 Tax Year 2011  
 TIN 55-6013642  
 Part IV, Page 3

Description	Sold	Acquired	Proceeds	Cost	Gain/Loss Covered
<b>** SHORT TERM CAPITAL GAIN (LOSS)</b>					
8174.476 SHARES OF JPMCHASE MORTGAGE - BACKED SECURITIES FUND	02/16/2011	08/25/2010	91,962.86	92,453.33	490.47-
372.336 SHARES OF NATTIXIS LOOMIS SAYLES FDS INV GRADE BOND FD CL Y TR II	02/16/2011	03/04/2010	4,523.88	4,434.52	89.36
1082.29 SHARES OF NATTIXIS LOOMIS SAYLES FDS INV GRADE BOND FD CL Y TR II	02/16/2011	06/25/2010	13,149.82	13,019.95	129.87
10082.151 SHARES OF T ROWE PRICE HIGH YIELD FUND INVESTOR CLASS CLOSED TO NEW INVESTORS	02/16/2011	08/25/2010	70,070.94	66,038.09	4,032.85
57.817 SHARES OF FEDERATED STRATEGIC INCOME FUND #653 CLASS 1	08/24/2011	02/16/2011	520.93	527.29	6.36-
14.722 SHARES OF AMERICAN GROWTH FUND OF AMERICA CLASS F-2	08/24/2011	02/16/2011	414.42	473.02	58.60-
<b>** TOTAL SHORT TERM CAPITAL GAIN (LOSS)</b>					
			180,642.85	176,946.20	3,696.65
<b>** LONG TERM CAPITAL GAIN (LOSS)</b>					
50000 UNITS OF TARGET CORP BOND 6.35% 01/15/2011	01/15/2011	08/02/2001	50,000.00	50,000.00	0.00
1190.38 SHARES OF FEDERATED CAPITAL APPRECIATION FUND #680 CLASS I	02/16/2011	09/22/2009	23,712.37	19,796.02	3,916.35
13.678 SHARES OF BARON GROWTH FUND INSTITUTIONAL	02/16/2011	06/03/2009	746.68	475.86	270.82
370.23 SHARES OF ROYCE TOTAL RETURN FUND - INST	02/16/2011	06/03/2009	5,094.37	3,395.48	1,698.89
2984.719 SHARES OF NATTIXIS LOOMIS SAYLES FDS INV GRADE BOND FD CL Y TR II	02/16/2011	09/22/2009	36,264.33	34,533.20	1,731.13
3028.523 SHARES OF NATTIXIS LOOMIS SAYLES FDS INV GRADE BOND FD CL Y TR II	02/16/2011	10/07/2009	36,796.56	35,464.18	1,332.38
421.572 SHARES OF FEDERATED STRATEGIC VALUE DIVIDEND FUND IS #662	08/24/2011	07/11/2005	1,930.80	2,255.41	324.61-
1583.59 SHARES OF	08/24/2011	09/22/2009	17,862.90	17,134.44	728.46

FEDERATED TOTAL RETURN INSTL SHS #328	08/24/2011	09/22/2009	11,748.70	11,333.00	415.70
681,479 SHARES OF FEDERATED CAPITAL APPRECIATION FUND #680 CLASS I	08/24/2011	03/04/2010	461.24	460.97	0.27
26,754 SHARES OF FEDERATED CAPITAL APPRECIATION FUND #680 CLASS I	08/24/2011	06/25/2010	9,916.73	9,330.00	586.73
575,216 SHARES OF FEDERATED CAPITAL APPRECIATION FUND #680 CLASS I	08/24/2011	09/22/2009	14,797.37	14,716.21	81.16
1352,593 SHARES OF PIMCO TOTAL RETURN FUND	08/24/2011	09/22/2009	17,120.97	16,044.45	1,076.52
608,205 SHARES OF AMERICAN GROWTH FUND OF AMERICA CLASS F-2	08/24/2011	06/25/2010	4,723.69	4,408.22	315.47
167,804 SHARES OF AMERICAN GROWTH FUND OF AMERICA CLASS F-2			231,176.71	219,347.44	11,829.27
** TOTAL LONG TERM CAPITAL GAIN (LOSS)					
** SHORT TERM CAPITAL GAINS DIVIDENDS					
7467,868 BASIS SHARES OF NATTIXIS LOOMIS SAYLES FDS INV GRADE BOND FD CL Y TR II					920.04
1285,208 BASIS SHARES OF NATTIXIS VAUGHAN NELSON SMALL CAP VALUE FUND CLASS Y CLOSED TO NEW INVESTORS					271.29
3736,447 BASIS SHARES OF MANNING AND NAPIER WORLD OPPORTUNITIES FUND #114 CLASS A					109.48
1569,103 BASIS SHARES OF NATTIXIS VAUGHAN NELSON SMALL CAP VALUE FUND CLASS Y CLOSED TO NEW INVESTORS					451.59
38285,369 BASIS SHARES OF FEDERATED TOTAL RETURN INSTL SHS #328 TOTAL LOSS FROM PARTNERSHIPS, S CORPORATIONS, OR OTHER FIDUCIARIES					1,469.01
** TOTAL SHORT TERM CAPITAL GAINS DIVIDENDS					255.62-
** LONG TERM CAPITAL GAINS DIVIDENDS					255.62-
7467,868 BASIS SHARES OF NATTIXIS LOOMIS SAYLES FDS INV GRADE BOND FD CL Y TR II					0.00
1285,208 BASIS SHARES OF NATTIXIS VAUGHAN NELSON SMALL CAP VALUE FUND CLASS Y CLOSED TO NEW INVESTORS					255.62-
3736,447 BASIS SHARES OF MANNING AND NAPIER WORLD OPPORTUNITIES FUND #114					0.00
** TOTAL LONG TERM CAPITAL GAINS DIVIDENDS					2,965.79
					2,965.79
					1,027.58
					870.79
					69.50

CLASS A	317.532 BASIS SHARES OF BARON GROWTH FUND INSTITUTIONAL	261.96
	2311.145 BASIS SHARES OF ROYCE MICRO CAP INV CL FUND # 264	1,613.11
	1721.298 BASIS SHARES OF ROYCE TOTAL RETURN FUND - INST	252.32
	3736.447 BASIS SHARES OF MANNING AND NAPIER WORLD OPPORTUNITIES FUND #114 CLASS A	1,076.47
	1301.472 BASIS SHARES OF HARDING LOEVNER GLOBAL EQUITY	286.20
	1569.103 BASIS SHARES OF NATTIXIS VAUGHAN NELSON SMALL CAP VALUE FUND CLASS Y CLOSED TO NEW INVESTORS	4,635.13
	38285.369 BASIS SHARES OF FEDERATED TOTAL RETURN INSTL SHS #328 TOTAL GAIN FROM PARTNERSHIPS, S CORPORATIONS, OR OTHER FIDUCIARIES	2,025.68
	** TOTAL LONG TERM CAPITAL GAINS DIVIDENDS	

### SUMMARY

Description	Amount
** SUMMARY OF CAPITAL GAINS AND LOSSES **	
TOTAL SHORT TERM CAPITAL GAIN (LOSS)	3,696.65
TOTAL SHORT TERM CAPITAL GAINS DIVIDENDS	2,965.79
NET SHORT TERM CAPITAL GAIN (LOSS)	6,662.44
TOTAL LONG TERM CAPITAL GAIN (LOSS)	11,829.27
TOTAL LONG TERM CAPITAL GAINS DIVIDENDS	12,458.60
TOTAL 28% RATE CAPITAL GAINS DIVIDENDS	0.00
TOTAL SEC 1250 CAPITAL GAINS DIVIDENDS	0.00
TOTAL SEC 1202 CAPITAL GAINS DIVIDENDS	0.00
NET LONG TERM CAPITAL GAIN (LOSS)	24,287.87
NET CAPITAL GAIN (LOSS)	30,950.31

**TRUST U/W FOREST L. GARRISON**  
**E.I.N. 55-6013642**  
**TAX YEAR 2011**  
**FORM 990-PF**

**PART V**

**PART VII-A, Line 6**

**PART VII-B, Line 2a**

**PART XI, Line 6**

This trust was established under the Will of Forest L. Garrison, who died in 1934. This Will provides that 80% of the net income of the trust shall be distributed annually to the Borough of Shickshinney, Pennsylvania, and that the remaining 20% of net income shall be added to the principal of the trust.

Subsection 10(1)(3) of the Tax Reform Act of 1969 provides that:

In the case of organizations organized before May 27, 1969, Section 4942 shall \*\*\*\* (B) not apply to an organization to the extent its income is required to be accumulated pursuant to the mandatory terms (as in effect on May 27, 1969, and at all times thereafter) of an instrument executed before May 27, 1969, with respect to the transfer of income producing property to such organization. \*\*\*\*. With respect to taxable years beginning after December 31, 1971, subparagraph (B) \*\*\*\* shall apply only during the pendency of any judicial proceeding by the private foundation which is necessary to reform or to excuse such foundation from compliance with, its governing instrument \*\*\*\* in order to comply with the provisions of Section 4942 \*\*\*\* and in the case of subparagraph (B) for all periods after the termination of such judicial proceeding during which the governing instrument or any other instrument does not permit compliance with such provisions.

A judicial proceeding was instituted in 1971 in the Circuit Court of Kanawha County, West Virginia, to reform the terms of the Garrison Trust. The Court denied the Trustee permission to amend the Will to eliminate the provisions requiring the retention and reinvestment of twenty percent of the income from the trust estate. A copy of the decree of the Circuit Court of Kanawha County was attached to the return filed for the Trust on Form 5227 for the year 1977.

Accordingly, Trust U/W Forest L. Garrison is not subject to the tax imposed by Section 4942 for the year 2011.