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 8/1/2011 **, and ending** 7/31/2012

Name of foundation: O MAX GARDNER FOUNDATION INC

A Employer identification number: 56-0490704

Number and street (or P O box number if mail is not delivered to street address): P O BOX 2286

Room/suite:

B Telephone number (see instructions)

City or town, state, and ZIP code: SHELBY NC 28151

C If exemption application is pending, check here ▶ ☐

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

D 1. Foreign organizations, check here ▶ ☐
2. Foreign organizations meeting the 85% test, check here and attach computation ▶ ☐

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

E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶ $ 1,242,945

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

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

Part I **Analysis of Revenue and Expenses** *(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see 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)				
	2 Check ▶☐ if the foundation is **not** required to attach Sch B				
	3 Interest on savings and temporary cash investments	256	256		
	4 Dividends and interest from securities	40,939	40,939		
	5a Gross rents		0		
	b Net rental income or (loss) 0				
	6a Net gain or (loss) from sale of assets not on line 10	37,932			
	b Gross sales price for all assets on line 6a 67,453				
	7 Capital gain net income (from Part IV, line 2)		37,932		
	8 Net short-term capital gain			0	
	9 Income modifications				
	10a Gross sales less returns and allowances 0				
	b Less Cost of goods sold 0				
	c Gross profit or (loss) (attach schedule)	0			
	11 Other income (attach schedule)	0	0	0	
	12 **Total.** Add lines 1 through 11	79,127	79,127	0	
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0			
	14 Other employee salaries and wages	5,300			
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)	0	0	0	0
	b Accounting fees (attach schedule)	2,475	0	0	0
	c Other professional fees (attach schedule)	0	0	0	0
	17 Interest				
	18 Taxes (attach schedule) (see instructions)	1,269	0	0	0
	19 Depreciation (attach schedule) and depletion	0	0	0	
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)	1,005	0	0	0
	24 **Total operating and administrative expenses.** Add lines 13 through 23	10,049	0	0	0
	25 Contributions, gifts, grants paid	80,585			80,585
	26 **Total expenses and disbursements.** Add lines 24 and 25	90,634	0	0	80,585
	27 Subtract line 26 from line 12				
	a **Excess of revenue over expenses and disbursements**	-11,507			
	b **Net investment income** (if negative, enter -0-)		79,127		
	c **Adjusted net income** (if negative, enter -0-)			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	21,330	39,092	39,092
	2	Savings and temporary cash investments	84,593	84,846	8,486
	3	Accounts receivable ▶ 0			
		Less allowance for doubtful accounts ▶ 0	0	0	0
	4	Pledges receivable ▶ 0			
		Less allowance for doubtful accounts ▶ 0	0	0	0
	5	Grants receivable			
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see instructions)	0	0	0
	7	Other notes and loans receivable (attach schedule) ▶ 0			
		Less allowance for doubtful accounts ▶ 0	0	0	0
	8	Inventories for sale or use			
	9	Prepaid expenses and deferred charges			
	10 a	Investments—U S and state government obligations (attach schedule)	0	0	0
	b	Investments—corporate stock (attach schedule)	511,451	481,930	1,195,367
	c	Investments—corporate bonds (attach schedule)	0	0	0
	11	Investments—land, buildings, and equipment basis ▶ 0			
		Less accumulated depreciation (attach schedule) ▶ 0	0	0	0
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)	0	0	0
	14	Land, buildings, and equipment basis ▶ 0			
		Less accumulated depreciation (attach schedule) ▶ 0	0	0	0
	15	Other assets (describe ▶)	0	0	0
	16	**Total assets** (to be completed by all filers—see the instructions Also, see page 1, item I)	617,374	605,868	1,242,945
Liabilities	17	Accounts payable and accrued expenses	93	117	
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons	0	0	
	21	Mortgages and other notes payable (attach schedule)	0	0	
	22	Other liabilities (describe ▶)	0	0	
	23	**Total liabilities** (add lines 17 through 22)	93	117	
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	617,281	605,751	
	28	Paid-in or capital surplus, or land, bldg , and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds			
	30	**Total net assets or fund balances** (see instructions)	617,281	605,751	
	31	**Total liabilities and net assets/fund balances** (see instructions)	617,374	605,868	

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	617,281
2	Enter amount from Part I, line 27a	2	-11,507
3	Other increases not included in line 2 (itemize) ▶	3	0
4	Add lines 1, 2, and 3	4	605,774
5	Decreases not included in line 2 (itemize) ▶ ADJUSTMENT	5	23
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	605,751

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	BRISTOL MYERS SQUIBB	P	10/2/2008	12/23/2011
b	ITTCORP	P		12/16/2011
c	VERIZON WIRELESS	P	10/2/2008	12/23/2011
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	31,581	0	12,477	19,104
b	4,549	0	4,738	-189
c	31,323	0	12,306	19,017
d	0	0	0	0
e	0	0	0	0

	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	0	0	0	19,104
b	0	0	0	-189
c	0	0	0	19,017
d	0	0	0	0
e	0	0	0	0

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	37,932
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	38,398	1,209,225	0 031754
2009	47,043	1,158,414	0 040610
2008	32,952	1,108,216	0 029734
2007	34,842	1,508,514	0 023097
2006	32,747	1,471,466	0 022255

2 **Total** of line 1, column (d)	2	0 147450
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 029490
4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5	4	1,241,636
5 Multiply line 4 by line 3	5	36,616
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	791
7 Add lines 5 and 6	7	37,407
8 Enter qualifying distributions from Part XII, line 4	8	80,585

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)

1 a	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 ▶ [X] and enter 1% of Part I, line 27b	1	791
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	0
3	Add lines 1 and 2	3	791
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-	5	791
6	Credits/Payments		
a	2011 estimated tax payments and 2010 overpayment credited to 2011 — 6a: 0		
b	Exempt foreign organizations—tax withheld at source — 6b		
c	Tax paid with application for extension of time to file (Form 8868) — 6c: 0		
d	Backup withholding erroneously withheld — 6d		
7	Total credits and payments Add lines 6a through 6d	7	0
8	Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached	8	13
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	804
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** ▶ 0 **Refunded** ▶	11	0

Part VII-A Statements Regarding Activities

			Yes	No
1 a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		
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		
	*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
4 a	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		
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	
8 a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ NC			
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		
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)*

			Yes	No
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 ▶ JOHN GARDNER Telephone no ▶ 704-487-0755
Located at ▶ 900 MONTROSE DRIVE SHELBY NC ZIP+4 ▶ 28150

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041—Check here ▶ [X]
and enter the amount of tax-exempt interest received or accrued during the year ▶ 15 | 0

			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		X
	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

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

				Yes	No
1a	During the year did the foundation (either directly or indirectly)				
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	[ ] Yes [X] No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	[ ] Yes [X] No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	[ ] Yes [X] No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	[ ] Yes [X] 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 [X] 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 [X] 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?	[X] Yes [ ] No			
	If "Yes," list the years ▶ 20 07 , 20 08 , 20 09 , 20 10				
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		
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ 20____ , 20____ , 20____ , 20____				
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	[ ] Yes [X] 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

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

		Yes	No
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? ☐ 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? *If "Yes" to 6b, file Form 8870*	**6b**	
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**	

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
NONE	00	0	0	0
	00	0	0	0
	00	0	0	0
	00	0	0	0

2 Compensation of five highest-paid employees (other than those included on line 1—see 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		0
		0
		0
		0
		0
Total number of others receiving over $50,000 for professional services ▶		

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 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	
2	
All other program-related investments See instructions 3	0
Total. Add lines 1 through 3 ▶	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	1,133,719
b	Average of monthly cash balances		1b	126,825
c	Fair market value of all other assets (see instructions)		1c	
d	**Total** (add lines 1a, b, and c)		1d	1,260,544
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	1,260,544
4	Cash deemed held for charitable activities Enter 1 ½ % of line 3 (for greater amount, see instructions)		4	18,908
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	1,241,636
6	**Minimum investment return.** Enter 5% of line 5		6	62,082

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	62,082
2a	Tax on investment income for 2011 from Part VI, line 5	2a	791		
b	Income tax for 2011 (This does not include the tax from Part VI)	2b	0		
c	Add lines 2a and 2b			2c	791
3	Distributable amount before adjustments Subtract line 2c from line 1			3	61,291
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	61,291
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	61,291

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	80,585
b	Program-related investments—total from Part IX-B	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	0
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	80,585
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	791
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	79,794

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					61,291
2 Undistributed income, if any, as of the end of 2011					
a Enter amount for 2010 only				59,587	
b Total for prior years 20 07 , 20 08 , 20 09			81,818		
3 Excess distributions carryover, if any, to 2011					
a From 2006	0				
b From 2007	0				
c From 2008	0				
d From 2009	0				
e From 2010	0				
f **Total** of lines 3a through e		0			
4 Qualifying distributions for 2011 from Part XII, line 4 ▶ $ 80,585					
a Applied to 2010, but not more than line 2a				59,587	
b Applied to undistributed income of prior years (Election required—see instructions)			20,998		
c Treated as distributions out of corpus (Election required—see instructions)		0			
d Applied to 2011 distributable amount					0
e Remaining amount distributed out of corpus		0			
5 Excess distributions carryover applied to 2011 *(If an amount appears in column (d), the same amount must be shown in column (a))*		0			0
6 **Enter the net total of each column as indicated below:**					
a Corpus Add lines 3f, 4c, and 4e Subtract line 5		0			
b Prior years' undistributed income Subtract line 4b from line 2b			60,820		
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			60,820		
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					61,291
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)		0			
9 **Excess distributions carryover to 2012.** Subtract lines 7 and 8 from line 6a		0			
10 Analysis of line 9					
a Excess from 2007	0				
b Excess from 2008	0				
c Excess from 2009	0				
d Excess from 2010	0				
e Excess from 2011	0				

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

1 a 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	
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed	0	0	0	0	0
b 85% of line 2a	0	0	0	0	0
c Qualifying distributions from Part XII, line 4 for each year listed	0	0	0	0	0
d Amounts included in line 2c not used directly for active conduct of exempt activities					0
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c	0	0	0	0	0
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test—enter (1) Value of all assets					0
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					0
b "Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed	0	0	0	0	0
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)					0
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					0
(3) Largest amount of support from an exempt organization					0
(4) Gross investment income					0

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))

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

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

Check here ▶ ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds If the foundation makes gifts, grants, etc (see 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

JOHN MULL GARDNER PO BOX 2286 SHELBY NC 28151 704-487-0755

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

NO PARTICULAR FORM

c Any submission deadlines

NONE

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

PRIMARILY LOCAL OR STATE EDUCATIONAL ORGANIZATIONS

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*				
CLEVELAND COUNTY MEMORIAL LIBRARY PO BOX 1120 SHELBY NC 28150			DONATION	1,085
JUNIOR CHARITY LEAGUE OF SHELBY INC PO BOX 1325 SHELBY NC 28151			CLOTHING ROOM	500
CLEVELAND COUNTY BAPTIST ASSOC 1175 WYKE RD SHELBY NC 28150			DONATION	5,000
CLEVELAND COUNTY HUMANE SOCIETY 1609 E MARION ST SHELBY NC 28150			DONATION	1,000
YOKEFELLOWS SERVICE PO BOX 351 SPINDALE NC 28160			DONATION	1,000
GRACE OF GOD RESCUE MISSION PO BOX 212 FOREST CITY NC 28043			DONATION	1,000
GIRLS SCOUTS PINOEER COUNCIL 250 SOUTH NEW HOPE RD GASTONIA NC 28054			DONATION	1,000
BOYS SCOUTS PIEDMONT COUNCIL PO BOX 1059 GASTONIA NC 28053			DONATION	1,000
FLORENCE BAPTIST CHURCH 201 SOUTH BROADWAY ST FOREST CITY NC 28043			DONATION	1,000
KINGS MOUNTAIN LITTLE THEATRE 202 S RAILROAD AVE KINGS MOUNTAIN NC 28086			DONATION	3,000
KINGS MOUNTAIN HIGH SCHOOL THEATRE 500 PHIFER RD KINGS MOUNTAIN NC 28086			DONATION	1,000
Total See Attached Statement			▶ 3a	80,585
b *Approved for future payment*				
Total			▶ 3b	0

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)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	Related or exempt function income (See instructions)
1 Program service revenue					
a		0		0	0
b		0		0	0
c		0		0	0
d		0		0	0
e		0		0	0
f		0		0	0
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments			14	256	
4 Dividends and interest from securities			14	40,939	
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				37,932	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue a		0		0	0
b		0		0	0
c		0		0	0
d		0		0	0
e		0		0	0
12 Subtotal Add columns (b), (d), and (e)		0		79,127	0

13 Total. Add line 12, columns (b), (d), and (e) 13 79,127

(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
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		
	0		

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: [signature] Date: 2/12/13 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
BOBBY WATSON	BOBBY WATSON	2/7/2013		P00295316

Firm's name ▶ WATSON, TRIPLETT and ASSOCIATES, CPAs, PC — Firm's EIN ▶ 75-3090315

Firm's address ▶ P O BOX 892, BOILING SPRINGS, NC 28017 — Phone no (704) 434-9566

Continuation of Part XV, Line 3a (990-PF) - Grants and Contributions Paid During the Year

Recipient(s) paid during the year

Name
HISTORIC SHELBY FOUNDATION
Street
PO BOX 2321

City	State	Zip Code	Foreign Country
SHELBY	NC	28151	

Relationship	Foundation Status

Purpose of grant/contribution	Amount
SHILOH FUND	500

Name
MEREDITH COLLEGE
Street
3800 HILLSBOROUGH ST

City	State	Zip Code	Foreign Country
RALEIGN	NC	27607	

Relationship	Foundation Status

Purpose of grant/contribution	Amount
UNRESTRICTED GIFT	1,000

Name
SHELBY HIGH SCHOOL
Street
230 EAST DIXON BLVD

City	State	Zip Code	Foreign Country
SHELBY	NC	28152	

Relationship	Foundation Status

Purpose of grant/contribution	Amount
DONATION	1,000

Name
SHELBY PRESBYTERIAN CHURCH
Street
226 E GRAHAM ST

City	State	Zip Code	Foreign Country
SHELBY	NC	28151	

Relationship	Foundation Status

Purpose of grant/contribution	Amount
HOMEWORK CLUB	1,000

Name
FIRST BAPTIST CHURCH
Street
120 N LAFAYETTE ST

City	State	Zip Code	Foreign Country
SHELBY	NC	28150	

Relationship	Foundation Status

Purpose of grant/contribution	Amount
DONATION	2,000

Name
CLEVELAND COUNTY HABITAT FOR HUMANITY
Street
PO BOX 2908

City	State	Zip Code	Foreign Country
SHELBY	NC	28151	

Relationship	Foundation Status

Purpose of grant/contribution	Amount
DONATION	2,000

Continuation of Part XV, Line 3a (990-PF) - Grants and Contributions Paid During the Year

Recipient(s) paid during the year

Name: GARDNER WEBB UNIVERSITY				
Street: PO BOX 997				
City: BOILING SPRINGS	State: NC	Zip Code: 28017	Foreign Country:	
Relationship:	Foundation Status:			
Purpose of grant/contribution: DONATION				Amount: 10,000

Name: RYBURN PRESBYTERIAN CHURCH				
Street: 1329 FREDERICK ST				
City: SHELBY	State: NC	Zip Code: 28150	Foreign Country:	
Relationship:	Foundation Status:			
Purpose of grant/contribution: MEMORIAL EZRA BRIDGES				Amount: 2,500

Name: SHELBY KIWANIS CLUB				
Street: 201 DEER BROOK DRIVE				
City: SHELBY	State: NC	Zip Code: 28150	Foreign Country:	
Relationship:	Foundation Status:			
Purpose of grant/contribution: MEMORIAL JULIAN HAMRICK				Amount: 2,500

Name: DOUBLE SPRINGS BAPTIST CHURCH				
Street: 1130 DOUBLE SPRINGS CH RD				
City: SHELBY	State: NC	Zip Code: 28150	Foreign Country:	
Relationship:	Foundation Status:			
Purpose of grant/contribution: DONATION				Amount: 2,500

Name: UNIVERSITY OF NC				
Street: PO BOX 2688				
City: CHAPEL HILL	State: NC	Zip Code: 27515	Foreign Country:	
Relationship:	Foundation Status:			
Purpose of grant/contribution: AWARD				Amount: 39,000

Name:				
Street:				
City:	State:	Zip Code:	Foreign Country:	
Relationship:	Foundation Status:			
Purpose of grant/contribution:				Amount: 0

Line 18 (990-PF) - Taxes

	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
		1,269	0	0	0
1	Real estate tax not included in line 20	864			
2	Tax on investment income				
3	Income tax				
4	Payroll tax	405			
5	Excise Tax				
6					
7					
8					
9					
10					

Line 23 (990-PF) - Other Expenses

	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
		1,005	0	0	0
1	COMMISSIONS	829			
2	Postage	176			
3	Loss on sale of securities				
4	Bank service charges				
5	Miscellaneous expenses				
6					
7					
8					
9					

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

	Description	Num Shares/ Face Value	Book Value Beg of Year	Book Value End of Year	FMV Beg of Year	FMV End of Year
			511,451	481,930	916,542	1,195,367
1	ABBOTT LABS	300	12,446	12,446	15,396	19,893
2	AT&T	2,846	19,350	19,350	73,825	73,825
3	AMERICAN ELECTRIC POWER	551	19,708	19,708	20,310	23,274
4	BRISTOL MYERS SQUIBB CO	900	24,955	12,477	51,588	32,040
5	CISCO SYSTEMS INC	500	26,359	26,359	7,985	7,975
6	EMERSON ELECTRIC CO	319	19,713	19,713	15,660	15,239
7	DUKE ENERGY GROUP	1,000	12,463	12,463	18,600	67,780
8	EXXON MOBIL CORP	2,000	2,581	2,582	159,580	173,700
9	GENERAL ELECTRIC COMPANY	7,200	9,196	9,196	128,952	149,400
10	FREEPORT-MCMORAN COPPER & GOLD	356	19,718	19,718	18,854	11,987
11	ENTERGY CORP	274	19,645	19,645	18,303	19,912
12	INTEL CORP	950	38,793	38,793	21,214	24,415
13	JOHNSON & JOHNSON	3,800	11,660	11,660	23,640	263,036
14	ORACLE CORPORATION	1,000	29,030	29,030	30,580	30,200
15	PEPCO HOLDINGS INC	500	11,813	11,813	9,340	9,980
16	PEPSICO INCORPORATED	400	18,909	18,909	25,616	29,092
17	PFIZER INCORPORATED	1,022	43,237	43,237	19,672	24,569
18	ITT CORP	458	24,743	0	24,430	0
19	ROYAL DUTCH SHELL PLC	1,200	24,155	24,155	88,272	81,840
20	THE TRAVELERS COS INC	216	8,955	8,955	11,908	13,532
21	METLIFE	662	24,683	24,683	27,844	20,370
22	VERIZON COMMUNICATIONS COM	800	12,306	0	28,232	0
23	NEXTERA ENERGY INC	462	24,692	24,692	25,526	32,756
24	WACHOVIA CORP	500	26,418	0	13,970	0
25	ZIMMER HOLDINGS	180	1,265	0	10,804	0
26	PROCTOR & GAMBLE CO	430	24,658	24,658	26,441	27,752
27	EXELIS INC	458	0	5,750	0	4,305
28	WELLS FARGO	500	0	26,418	0	16,905
29	XYLEM INC	458	0	14,255	0	10,983
30	ZIMBUZO HOLDINGS	180	0	1,265	0	10,607
31						
32						
33						

Part XIII, Line 4b (990-PF) - Qualifying Distribution Made Out of Prior Year Undistributed Income

If the private foundation is electing to treat a qualifying distribution as made out of the undistributed income of a prior taxable year, please provide an explanation

O MAX GARDNER FOUNDATION INC IS ELECTING TO TREAT THE REMAINING QUALIFIED DISTRIBUTION AMOUNT OF $20,998 AS A DISTRIBUTION MADE OUT OF THE UNDISTRIBUTED INCOME OF THE PRIOR TAXABLE YEARS THE AMOUNT OF UNDISTRIBUTED INCOME FOR TAX YEAR 2007 IS $8,162 THE AMOUNT OF UNDISTRIBUTED INCOME FOR TAX YEAR 2008 IS $12,836

Elections

Election for Treatment of Unused Prior Year Corpus Distributions

Pursuant to IRC Section 4942(g)(3) and Reg 53.4942(a)-3(c)(2)(iv), the Foundation elects to treat unused prior tax year's distributions that were treated as corpus distributions as distributions from corpus in the current tax year

2/12/13

Officer Signature

Title

O Max Gardner Foundation Inc
Transaction Detail By Account
August 2011 through July 2012

Needs to go w/ return for them to look at.

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Donation							
Check	08/19/2011	11318	Cleveland County Memorial Library	2011 Donation	437 00		437 00
Check	09/12/2011	11324	Junior Charity League of Shelby Inc	Clothing Room	500 00		937 00
Check	10/10/2011	11329	Cleveland County Memorial Library	Periodicals 2011	211 80		1,148 80
Check	12/19/2011	11347	Cleveland County Memorial Library	2011 Donation	434 66		1,583 46
Check	12/19/2011	11349	Cleveland County Baptist Assoc		5,000 00		6,583 46
Check	01/03/2012	11352	cleveland County Humane Society	2012 donation	1,000 00		7,583 46
Check	02/13/2012	11362	Yokefellows Service	2012 donation	1,000 00		8,583 46
Check	02/13/2012	11363	Grace of God Rescue Mission	2012 donation	1,000 00		9,583 46
Check	02/13/2012	11364	Girl Scouts Pioneer Council	2012 donation	1,000 00		10,583 46
Check	02/13/2012	11365	Boy Scouts Piedmont Council	2012 donation	1,000 00		11,583 46
Check	02/17/2012	11366	Florence Baptist Church	2012 donation	1,000 00		12,583 46
Check	03/05/2012	11370	Kings Mountain Little Theatre		3,000 00		15,583 46
Check	03/05/2012	11371	Kings Mountain High School Theater		1,000 00		16,583 46
Check	03/05/2012	11372	Historic Shelby Foundation	Shiloh Fund (ceme	500 00		17,083 46
Check	03/09/2012	11374	Meredith	unrestricted gift	1,000 00		18,083 46
Check	03/09/2012	11375	Shelby High School		1,000 00		19,083 46
Check	03/09/2012	11376	Shelby Presbyterian Church	Homework Club	1,000 00		20,083 46
Check	03/09/2012	11377	First Baptist Church		2,000 00		22,083 46
Check	04/08/2012	11384	Cleveland County Habitat for Humanity		2,000 00		24,083 46
Check	04/08/2012	11385	Gardner Webb University	2012 donation	10,000 00		34,083 46
Check	04/08/2012	11386	Ryburn Presbyterian Church	Memorial Ezra Brid	2,500 00		36,583 46
Check	04/08/2012	11388	Shelby Kinanis Club	Memorial Julian Ha	2,500 00		39,083 46
Check	04/08/2012	11387	Double Springs Baptist Church		2,500 00		41,583 46
Total Donation					41,583 46	0 00	41,583 46
TOTAL					41,583.46	0.00	41,583.46

- have receipt for 8/2011 7/2012

Need receipts for tax audit purposes.

If there is not a receipt, IRS will disallow.

1:12 AM
1/29/13
Accrual Basis

O Max Gardner Foundation Inc
Transaction Detail By Account
August 2011 through July 2012

Type	Date	Num	Name	Memo	Debit	Credit	Balance
OMG Award							
Check	08/29/2011	11320	UNC	July - Aug	3,000 00		3,000 00
Check	11/07/2011	11336	UNC	Sept - Oct	3,000 00		6,000 00
Check	12/12/2011	11344	UNC	Nov - Dec	3,000 00		9,000.00
Check	01/03/2012	11353	UNC		15,000 00		24,000 00
Check	03/05/2012	11369	UNC	Jan - Feb	3,000 00		27,000 00
Check	05/06/2012	11395	UNC	March - April	3,000 00		30,000 00
Check	06/25/2012	11403	UNC	May - June	3,000 00		33,000 00
Check	07/18/2012	11407	UNC	July - Oct	6,000 00		39,000 00
Total OMG Award					39,000 00	0 00	39,000 00
TOTAL					**39,000.00**	**0.00**	**39,000.00**

✓

Need receipts for tax audit purposes

Form **8868**

(Rev January 2012)

Department of the Treasury
Internal Revenue Service

Application for Extension of Time To File an Exempt Organization Return

▶ **File a separate application for each return.**

OMB No 1545-1709

- If you are filing for an **Automatic 3-Month Extension, complete only Part I** and check this box ▶ ☐
- If you are filing for an **Additional (Not Automatic) 3-Month Extension, complete only Part II** (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.

Electronic filing *(e-file)*. You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit *www.irs.gov/efile* and click on *e-file for Charities & Nonprofits.*

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension—check this box and complete Part I only ▶ ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

Enter filer's identifying number, see instructions

Type or print	Name of exempt organization or other filer, see instructions O. MAX GARDNER FOUNDATION INC	Employer identification number (EIN) or ☒ 56-0490704
File by the due date for filing your return See instructions	Number, street, and room or suite no. If a P.O. box, see instructions. P O BOX 2286	Social security number (SSN) ☐
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. SHELBY NC 28151	

Enter the Return code for the return that this application is for (file a separate application for each return) . . . 04

Application Is For	Return Code	Application Is For	Return Code
Form 990	01	Form 990-T (corporation)	07
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	01	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec. 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

- The books are in the care of ▶ JOHN GARDNER

Telephone No ▶ 704-487-0755 FAX No. ▶

- If the organization does not have an office or place of business in the United States, check this box . ▶ ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ______. If this is for the whole group, check this box ▶ ☐ . If it is for part of the group, check this box ▶ ☐ and attach a list with the names and EINs of all members the extension is for.

1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 3/15/2013, to file the exempt organization return for the organization named above. The extension is for the organization's return for:

▶ ☐ calendar year ______ or

▶ ☒ tax year beginning 8/1/2011, and ending 7/31/2012

2 If the tax year entered in line 1 is for less than 12 months, check reason: ☐ Initial return ☐ Final return ☐ Change in accounting period

3a	If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	**3a**	$
b	If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	**3b**	$
c	**Balance due.** Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	**3c**	$ 0

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.