



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



**Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation****2011**Department of the Treasury
Internal Revenue Service

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

For calendar year 2011, or tax year beginning 12/01, 2011, and ending 11/30, 2012

JAY & SHIRLEY MARKS FOUNDATION
585 TRIANON
HOUSTON, TX 77024-4619**A** Employer identification number
23-7253928**B** Telephone number (see the instructions)**G** Check all that apply ☐ Initial return ☐ Initial Return of a former public charity
☐ Final return ☐ Amended return
☐ Address change ☐ Name change**H** Check type of organization: ☒ Section 501(c)(3) exempt private foundation
☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation**I** Fair market value of all assets at end of year (from Part II, column (c), line 16) **J** Accounting method: ☐ Cash ☒ Accrual
☐ Other (specify) _____
(Part I, column (d) must be on cash basis.)

► \$ 190,914.

C If exemption application is pending, check here ☐**D 1** Foreign organizations, check here ☐**2** Foreign organizations meeting the 85% test, check here and attach computation ☐**E** If private foundation status was terminated under section 507(b)(1)(A), check here ☐**F** If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐**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)

1 Contributions, gifts, grants, etc., received (att sch)

20,000.

2 ☒ If the foundn is not req to att Sch B

3 Interest on savings and temporary cash investments

4 Dividends and interest from securities

3,523.

3,523.

3,523.

5a Gross rents

b Net rental income or (loss)

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

188,196.

b Gross sales price for all assets on line 6a 332,713.

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

188,196.

8 Net short-term capital gain

2,337.

9 Income modifications

10a Gross sales less returns and allowances

b Less Cost of goods sold

c Gross profit/(loss) (att sch)

11 Other income (attach schedule)

12 Total. Add lines 1 through 11

211,719.

191,719.

5,860.

13 Compensation of officers, directors, trustees, etc

0.

14 Other employee salaries and wages

15 Pension plans, employee benefits

16a Legal fees (attach schedule)

b Accounting fees (attach sch) See St 1

1,000.

1,000.

c Other prof fees (attach sch) See St 2

1,166.

1,166.

17 Interest

18 Taxes (attach schedule)(see instrs)

19 Depreciation (attach sch) and depletion

20 RECEIVED
21 Travel, conferences, and meetings
22 Printing and publications
23 Other expenses (attach schedule)
24 See Statement 3

352.

352.

24 Total operating and administrative expenses. Add lines 13 through 23

2,518.

2,518.

25 Contributions, gifts, grants paid Stmt 4

201,440.

201,440.

26 Total expenses and disbursements. Add lines 24 and 25

203,958.

0.

203,958.

27 Subtract line 26 from line 12:

a Excess of revenue over expenses and disbursements

7,761.

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

191,719.

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

5,860.

8P

Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only
(See instructions)

Part II Balance Sheets		Beginning of year		End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value	
ASSETS	1	Cash — non-interest-bearing	5,000.	32,543.	32,543.
	2	Savings and temporary cash investments			
	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 sch)			
		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)			20,618.
	b	Investments — corporate stock (attach schedule)	200,490.	117,135.	117,135.
	c	Investments — corporate bonds (attach schedule)		20,618.	
	11	Investments — land, buildings, and equipment basis			
	Less: accumulated depreciation (attach schedule)				
12	Investments — mortgage loans				
13	Investments — other (attach schedule)				
14	Land, buildings, and equipment basis				
	Less accumulated depreciation (attach schedule)				
15	Other assets (describe See Statement 5)		21,161.	20,618.	
16	Total assets (to be completed by all filers — see the instructions Also, see page 1, item I)	205,490.	191,457.	190,914.	
LIABILITIES	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, & other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe)			
	23	Total liabilities (add lines 17 through 22)	0.	0.	
NET ASSETS OR FUND BALANCES		Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31. X			
	24	Unrestricted	205,490.	191,457.	
	25	Temporarily restricted			
	26	Permanently restricted			
		Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.			
	27	Capital stock, trust principal, or current funds			
	28	Paid-in or capital surplus, or land, building, and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds			
	30	Total net assets or fund balances (see instructions)	205,490.	191,457.	
	31	Total liabilities and net assets/fund balances (see instructions)	205,490.	191,457.	

		(See instructions)			
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	205,490.
2	Enter amount from Part I, line 27a	2	7,761.
3	Other increases not included in line 2 (itemize) ▶ _____	3	
4	Add lines 1, 2, and 3	4	213,251.
5	Decreases not included in line 2 (itemize) ▶ <u>See Statement 6</u>	5	21,794.
6	Total net assets or fund balances at end of year (line 4 minus line 5) — Part II, column (b), line 30	6	191,457.

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 shares MLC Company)		(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1a SEE LIST ATTACH SEE SCH ATT'D S/T GAINS		P	Various	Various
b SEE LIST ATTACH SEE SCH ATT'D L/T GAINS		P	Various	Various
c SEE LIST ATTACH SEE SCH ATT'D L/T GAINS		P	Various	Various
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 25,369.		23,032.	2,337.
b 303,417.		119,260.	184,157.
c 3,927.		2,225.	1,702.
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			2,337.
b			184,157.
c			1,702.
d			
e			

2 Capital gain net income or (net capital loss)	[If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7]		2	188,196.
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	2,337.

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)

N/A

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 (column (b) divided by column (c))
2010			
2009			
2008			
2007			
2006			

2 Total of line 1, column (d)	2	
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	
4 Enter the net value of noncharitable-use assets for 2011 from Part X, line 5	4	
5 Multiply line 4 by line 3	5	
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	
7 Add lines 5 and 6	7	
8 Enter qualifying distributions from Part XII, line 4	8	

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 <input type="checkbox"/> and enter 'N/A' on line 1. Date of ruling or determination letter _____ (attach copy of letter if necessary – see instrs)		
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		1 3,834.
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, column (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 3,834.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4 0.
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5 3,834.
6 Credits/Payments		
a 2011 estimated tax pmts and 2010 overpayment credited to 2011	6a	
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	0.
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	3,834.
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	
11 Enter the amount of line 10 to be: Credited to 2012 estimated tax <input type="checkbox"/> Refunded <input type="checkbox"/>	11	

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?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see the instructions for definition)? <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?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year. (1) On the foundation ▶ \$ 0. (2) On foundation managers ▶ \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ \$ 0. See Statement 7		
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
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If 'Yes,' has it filed a tax return on Form 990-T for this year?	N/A	
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> See Statement 8	X	
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?		X
7 Did the foundation have at least \$5,000 in assets at any time during the year? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see instructions) TX		
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? <i>If 'No,' attach explanation</i> See Statement 9		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)? <i>If 'Yes,' complete Part XIV</i>		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

BAA

Form 990-PF (2011)

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 <u>N/A</u>	13	X	
14	The books are in care of <u>JAY MARKS</u> Telephone no <u>(713) 464-6390</u> Located at <u>585 TRIANON HOUSTON TX</u> ZIP + 4 <u>77024-4619</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year <u>N/A</u>	15		N/A
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 <u></u>	16		X

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

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

	Yes	No
1a During the year did the foundation (either directly or indirectly):		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<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 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 <u></u>	1b	N/A
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? If 'Yes,' list the years <u>20 NA , 20 NA , 20 NA , 20 NA</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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) <u>See Statement 10</u>	2b	X
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here <u>20 NA , 20 NA , 20 NA , 20 NA</u>		
3a 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 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

BAA

Form 990-PF (2011)

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)**5a** During the year did the foundation pay or incur any amount to:

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions)

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No**b** If any answer is 'Yes' to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

5b N/A

Organizations relying on a current notice regarding disaster assistance check here

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

If 'Yes,' attach the statement required by Regulations section 53.4945-5(d)

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?☐ Yes ☒ No

6b X

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

If 'Yes' to 6b, file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?☐ Yes ☒ No**b** If 'Yes,' did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

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
JAY M MARKS TRIANON HOUSTON, TX 77024	DIRECTOR 0	0.	0.	0.
SHIRLEY MARKS 585 TRIANON HOUSTON, TX 77024	DIRECTOR 0	0.	0.	0.
LESTER A MARKS 585 TRIANON HOUSTON, TX 77024	DIRECTOR 0	0.	0.	0.
FRANCIS MARKS LOWE 585 TRIANON HOUSTON, TX 77024	DIRECTOR 0	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

0

BAA

TEEA0306L 12/05/11

Form 990-PF (2011)

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

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

BAA

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	
b Average of monthly cash balances	1b	
c Fair market value of all other assets (see instructions)	1c	
d Total (add lines 1a, b, and c)	1d	0.
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	
4 Cash deemed held for charitable activities Enter 1-1/2% of line 3 (for greater amount, see instructions)	4	
5 Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	0.
6 Minimum investment return. Enter 5% of line 5	6	0.

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	
2a Tax on investment income for 2011 from Part VI, line 5	2a	3,834.
b Income tax for 2011 (This does not include the tax from Part VI)	2b	
c Add lines 2a and 2b	2c	3,834.
3 Distributable amount before adjustments Subtract line 2c from line 1	3	-3,834.
4 Recoveries of amounts treated as qualifying distributions	4	
5 Add lines 3 and 4	5	-3,834.
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	0.

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	203,958.
b Program-related investments — total from Part IX-B	1b	
2 Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3 Amounts set aside for specific charitable projects that satisfy the:		
a Suitability test (prior IRS approval required)	3a	
b Cash distribution test (attach the required schedule)	3b	
4 Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	203,958.
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 Adjusted qualifying distributions. Subtract line 5 from line 4	6	203,958.

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				0.
2 Undistributed income, if any, as of the end of 2011:				
a Enter amount for 2010 only			0.	
b Total for prior years 20__, 20__, 20__		0.		
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 ▶ \$ 203,958.				
a Applied to 2010, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required — see instructions)		0.		
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	203,958.			
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	203,958.			
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount — see 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				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0.			
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	203,958.			
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	203,958.			

BAA

Form 990-PF (2011)

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

N/A

- 1a** If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2011, enter the date of the ruling ▶

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

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

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

1 Information Regarding Foundation Managers:

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

None

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

None

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

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

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

See Statement 11

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

See Statement for Line 2a

- c Any submission deadlines:**

See Statement for Line 2a

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

See Statement for Line 2a

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				
<i>See Attached List</i>				
<i>All contributions are made to the "GENERAL PURPOSE FUND" of each respective organization.</i>				
Total				3a <i>201,440.</i>
b Approved for future payment				
Total				3b

Part XVI-A. Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See instructions)
	(a) Business code	(b) Amount	(c) Exclu- sion 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					3,523.
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					188,196.
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)					191,719.
13	Total. Add line 12, columns (b), (d), and (e)					191,719.

(See worksheet in line 13 instructions to verify calculations)

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

[illegible]

2011

Federal Statements

Page 1

Client 2251

JAY & SHIRLEY MARKS FOUNDATION

23-7253928

4/03/13

03:34PM

Statement 1
Form 990-PF, Part I, Line 16b
Accounting Fees

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Total	\$ 1,000.	\$ 0.	\$ 0.	\$ 1,000.

Statement 2
Form 990-PF, Part I, Line 16c
Other Professional Fees

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
AGENCY FEES	\$ 1,166.	\$ 0.	\$ 0.	\$ 1,166.
Total	\$ 1,166.	\$ 0.	\$ 0.	\$ 1,166.

Statement 3
Form 990-PF, Part I, Line 23
Other Expenses

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
MISCELLANEOUS EXPENSES	\$ 352.	\$ 0.	\$ 0.	\$ 352.
Total	\$ 352.	\$ 0.	\$ 0.	\$ 352.

Statement 4
Form 990-PF, Part I, Line 25
Contributions, Gifts, and Grants

Cash Grants and Allocations

Class of Activity:

Donee's Name:

Donee's Address:

ANTI DEFAMATION LEAGUE

4635 SOUTHWESTWEST FWY SUITE 400

HOUSTON, TX 77019

Relationship of Donee:

Organizational Status of Donee:

Amount Given:

\$ 700.

Class of Activity:

Donee's Name:

Donee's Address:

BERKSHIRE MUSEUM

39 SOUTH ST

PITTSFIELD, MA 01201

Relationship of Donee:

Organizational Status of Donee:

Amount Given:

1,817.

Class of Activity:

Client 2251

JAY & SHIRLEY MARKS FOUNDATION

23-7253928

4/03/13

03:34PM

Statement 4 (continued)
Form 990-PF, Part I, Line 25
Contributions, Gifts, and Grants

Donee's Name:	BOSTON SYMPHONY ORCHESTRA	
Donee's Address:	BOSTON , MA	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		\$ 31,892.
Class of Activity:		
Donee's Name:	CONGREGATION BETH ISRAEL	
Donee's Address:	5600 S BRAESWOOD BLVD HOUSTON, TX 77096	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		13,040.
Class of Activity:		
Donee's Name:	HOUSTON CONGREGATION FOR REFORM JUDAISM	
Donee's Address:	801 BERNG DR HOUSTON , TX 77057	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		1,550.
Class of Activity:		
Donee's Name:	HOUSTON SYMPHONY	
Donee's Address:	615 LOUISIANNA STREET HOUSTON , TX 77002	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		37,900.
Class of Activity:		
Donee's Name:	JEEWISH COMMUNITY CENTER	
Donee's Address:	5601 S BRESWOOD HOUSTON, 77	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		831.
Class of Activity:		
Donee's Name:	JEWISH FAMILY SERVICES	
Donee's Address:	4131 S BRAESWOOD BLVD HOUSTON , TX 77025	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		100,325.
Class of Activity:		
Donee's Name:	JEWISH FOUNDATION OF HOUSTON	
Donee's Address:	5603 S BRAESWOOD HOUSTON , TX 77096	
Relationship of Donee:		
Organizational Status of Donee:		
Amount Given:		5,000.
Class of Activity:		
Donee's Name:	THE HOLOCAUST MUSEUM	

Client 2251

JAY & SHIRLEY MARKS FOUNDATION

23-7253928

4/03/13

03:34PM

Statement 4 (continued)
Form 990-PF, Part I, Line 25
Contributions, Gifts, and Grants

Donee's Address: 5401 CAROLINE ST
HOUSTON, TX 77004

Relationship of Donee:
Organizational Status of Donee:
Amount Given: \$ 550.

Class of Activity:
Donee's Name: EDITH WARTON
Donee's Address: 2 PLUNKETT ST
LENOX, MA 01240

Relationship of Donee:
Organizational Status of Donee:
Amount Given: 750.

Class of Activity:
Donee's Name: UNIVERSTIY OF HOUSTON FOUNDATION
Donee's Address: 4543 POST OAK PLACE STE 250
HOUSTON , TX 77024

Relationship of Donee:
Organizational Status of Donee:
Amount Given: 1,700.

Class of Activity:
Donee's Name: UTMB DEVELOPMET SERVICES
Donee's Address: 301 UNIVERSITY BLVE
GALVESTON , TX 77555

Relationship of Donee:
Organizational Status of Donee:
Amount Given: 1,000.

Class of Activity:
Donee's Name: HOUSTON AREA WOMEN CENTER
Donee's Address: 1010 WAUGH DR
HOUSTON , TX 77019

Relationship of Donee:
Organizational Status of Donee:
Amount Given: 500.

Class of Activity:
Donee's Name: HOUSTON FOOD BANK
Donee's Address: 535 PORTWALL ST
HOUSTON, TX 77029

Relationship of Donee:
Organizational Status of Donee:
Amount Given: 500.

Class of Activity:
Donee's Name: ONE HUNDRED CLUB OF HOUSTON
Donee's Address: 5555 SAN FELIPE ST SUITE 520
HOUDTON , TX 77056

Relationship of Donee:
Organizational Status of Donee:
Amount Given: 300.

Class of Activity:
Donee's Name: VARIOUS CHARITIES LESS THAN 300 DOLLARS
Donee's Address: MAINLY HOUSTON

2011

Federal Statements

Page 4

Client 2251

JAY & SHIRLEY MARKS FOUNDATION

23-7253928

4/03/13

03 34PM

Statement 4 (continued)
Form 990-PF, Part I, Line 25
Contributions, Gifts, and Grants

HOUSTON , TX 77001

Relationship of Donee:
 Organizational Status of Donee:
 Amount Given:

\$ 3,085.

Total \$ 201,440.

Statement 5
Form 990-PF, Part II, Line 15
Other Assets

COMMODITIES

	<u>Book Value</u>	<u>Fair Market Value</u>
	\$ 21,161.	\$ 20,618.
Total	<u>\$ 21,161.</u>	<u>\$ 20,618.</u>

Statement 6
Form 990-PF, Part III, Line 5
Other Decreases

ADJUSTMENTS TO COST BASIS

Total \$ 21,794.
\$ 21,794.

Statement 7
Form 990-PF, Part VII-A, Line 2
Activities Not Previously Reported to the IRS

NA

Statement 8
Form 990-PF, Part VII-A, Line 5
Liquidation, Dissolution, Termination, or Substantial Contraction

Liquidation, Dissolution, Termination, or Substantial Contraction

NA

2011

Federal Statements

Page 5

Client 2251

JAY & SHIRLEY MARKS FOUNDATION

23-7253928

4/03/13

03:34PM

Statement 9
Form 990-PF, Part VII-A, Line 8b
Copies of Form 990-PF to State Officials

NA

Statement 10
Form 990-PF, Part VII-B, Line 2b
Section 4942 (a) (2) - Incorrect Valuation of Assets

NA

Statement 11
Form 990-PF, Part XV, Line 2a-d
Application Submission Information

Name of Grant Program:	"GENERAL PURPOSE FUND"
Name:	JAY & SHIRLEY MARKS FOUNDATION
Care Of:	MR & MRS JAY & SHIRLEY MAKKS
Street Address:	858 TRIANON
City, State, Zip Code:	HOUSTON , TX 77024-4619
Telephone:	(713) 202-0427
Form and Content:	THERE IS NO PARTICULAR FORM THAT IS REQUIRED.
Submission Deadlines:	DEADLINE IS ANYTIME DURING THE FISCAL ENDING 11-30
Restrictions on Awards:	THERE ARE NO RESTRICTIONS OR LIMITATIONS

23-7253928

12/31/12

JSA
1F0971 2 000

JAY & SHIRLEY MARKS FOUNDATION THE NORTHERN
Schedule D Detail of Long-term Capital Gains and Losses

23-7253928

12/31/12

Description	Date Acquired	Date Sold	Gross Sales Price	Cost or Other Basis	Long-term Gain/Loss
15% RATE CAPITAL GAINS (LOSSES)					
42. ANADARKO PETROLEUM CORP	04/08/2009	12/20/2011	3,149.51	1,748.78	1,400.73
66. EDWARDS LIFESCIENCES CORP	05/12/2009	12/20/2011	4,619.25	2,077.57	2,541.68
44. FMC CORP NEW	04/08/2009	12/20/2011	3,801.96	1,985.47	1,816.49
55. MFC ISHARES TR RUSSELL 2000 GROWTH INDEXFD	04/08/2009	12/20/2011	4,600.11	2,613.81	1,986.30
52. LORILLARD INC COM STK	04/08/2009	12/20/2011	5,736.52	3,299.22	2,437.30
512.46 MFB NORTHERN FUNDS BD INDEX FD	03/02/2009	12/20/2011	5,575.53	5,169.58	405.95
137.63 MFB NORTHN HI YIELD FXD INC FD	03/02/2009	12/20/2011	962.00	794.66	167.34
263. MFC POWERSHARES EXCHANGE-TRADED FD TR DYNA	04/08/2009	12/20/2011	5,178.37	2,932.45	2,245.92
36. V F CORP	11/18/2009	12/20/2011	4,661.91	2,662.10	1,999.81
50. CORE LABORATORIES NV NLG0.03	04/08/2009	12/20/2011	5,790.38	1,938.59	3,851.79
65. ADVISORY BRD CO COM	08/11/2009	01/03/2012	4,803.40	1,713.99	3,089.41
55. AMAZON COM INC	04/03/2009	01/03/2012	9,712.81	4,308.63	5,404.18
67. AMERICAN EXPRESS CO	01/28/2009	01/03/2012	3,234.02	1,185.87	2,048.15
84. APPLE COMPUTER INC	04/23/2008	01/03/2012	34,457.82	9,042.28	25,415.54
139. ARM HLDGS PLC SPONSORED	04/24/2008	01/03/2012	3,894.84	734.01	3,160.83
95. BED BATH & BEYOND INC	06/26/2009	01/03/2012	5,558.34	2,889.68	2,668.66
225. BLACKBAUD INC COM	04/13/2009	01/03/2012	6,418.62	3,048.34	3,370.28
37. BOEING CO COM	03/04/2009	01/03/2012	2,764.95	1,269.51	1,495.44
33. CATERPILLAR INC	03/04/2009	01/03/2012	3,088.08	1,100.11	1,987.97
120. CHEVRONTXACO CORP COM	05/01/2004	01/03/2012	13,173.22	3,509.92	9,663.30
95. DRIL-QUIP INC	12/09/2008	01/03/2012	6,402.87	1,983.12	4,419.75
62. E I DU PONT DE NEMOURS &	03/04/2009	01/03/2012	2,885.42	1,239.60	1,645.82
286. FANUC CORPORATION	07/27/2009	01/03/2012	7,453.01	3,357.88	4,095.13
215. FOREST CITY ENTERPRISES INC CL A	03/05/2009	01/03/2012	2,597.15	959.85	1,637.30
75. HIBBETT SPORTS INC COM STK	04/23/2008	01/03/2012	3,341.18	1,303.34	2,037.84
56. HONEYWELL INTL INC	04/08/2009	01/03/2012	3,110.18	1,498.03	1,612.15
Totals					

JSA
1F0970 2 000

JAY & SHIRLEY MARKS FOUNDATION THE NORTHERN
Schedule D Detail of Long-term Capital Gains and Losses

12/31/12

23-7253928

Description	Date Acquired	Date Sold	Gross Sales Price	Cost or Other Basis	Long-term Gain/Loss
317. ADR HONG KONG EXCHANGES & CLEARING LTD ADR	03/13/2009	01/03/2012	5,157.49	2,515.46	2,642.03
80. HUMANA INC	10/09/2008	01/03/2012	7,058.26	2,886.15	4,172.11
120. KIRBY EXPLORATION, INC.	02/02/2009	01/03/2012	7,868.24	3,563.70	4,304.54
332. KOMATSU LTD SPON ADR NEW	01/27/2009	01/03/2012	7,944.60	3,669.84	4,274.76
339. ADR LVMH MOET HENNESSY					
LOUIS VUITTON ADR	01/16/2009	01/03/2012	9,874.88	3,616.71	6,258.17
154. LAS VEGAS SANDS CORP	12/02/2009	01/03/2012	6,789.72	2,699.47	4,090.25
41. LAUDER ESTEE COS INC CL A	07/07/2009	01/03/2012	4,647.26	1,328.52	3,318.74
120. MANHATTAN ASSOCS INC COM	10/22/2008	01/03/2012	4,810.70	2,287.41	2,523.29
44. MASTERCARD INC CL A	01/26/2009	01/03/2012	16,175.44	5,468.05	10,707.39
45. #REORG/PEETS COFFEE & TEA					
CASH MERGER DUE 10/30/2012	04/23/2008	01/03/2012	2,766.54	1,047.60	1,718.94
11. PRICELINE COM INC COM	03/06/2009	01/03/2012	5,298.59	916.95	4,381.64
145. PROCTER & GAMBLE CO	05/01/2004	01/03/2012	9,700.31	2,078.54	7,621.77
60. RAVEN INDS INC COM STK	12/03/2008	01/03/2012	3,740.00	1,558.31	2,181.69
270. SALLY BEAUTY HLDGS INC COM STK					
10/22/2010	01/03/2012		5,602.39	1,831.82	3,770.57
263. STARBUCKS CORP	05/29/2009	01/03/2012	12,064.57	3,291.63	8,772.94
131. US BANCORP DEL NEW	03/04/2009	01/03/2012	3,620.77	1,476.02	2,144.75
235. WAL MART DE MEXICO SA DE CV SPON ADR REP V					
02/20/2009	01/03/2012		6,546.97	2,536.52	4,010.45
125. WATSON PHARMACEUTICALS INC COM					
09/23/2008	01/03/2012		7,576.10	3,697.64	3,878.46
85. WHOLE FOODS MKT INC	06/12/2009	01/03/2012	5,998.33	1,738.24	4,260.09
40. YUM BRANDS INC	11/19/2008	01/03/2012	2,363.15	988.50	1,374.65
1125.78 MFB NORTHERN FUNDS MULTI MANAGER LARGE CAP FD					
03/02/2009	11/23/2012		10,841.38	5,696.44	5,144.94
TOTAL 15% RATE CAPITAL GAINS (LOSSES) To Sch. D.			303,417.00	119,260.00	184,157.00
28% RATE CAPITAL GAINS (LOSSES)					
25. MFC SPDR GOLD TR GOLD SHS	10/08/2008	12/20/2011	3,926.67	2,225.47	1,701.20
Totals					

23-7253928

JSA
1F0970 2 000

**Application for Extension of Time To File an
Exempt Organization Return**

OMB No 1545-1709

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

- 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 File by the due date for filing your return. See instructions.	Name of exempt organization or other filer, see instructions		Employer identification number (EIN) or
	JAY & SHIRLEY MARKS FOUNDATION		<input checked="" type="checkbox"/> 23-7253928
	Number, street, and room or suite number. If a P.O. box, see instructions		Social security number (SSN)
	585 TRIANON		<input type="checkbox"/>
	City, town or post office, state, and ZIP code. For a foreign address, see instructions		
	HOUSTON, TX 77024-4619		

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 (section 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 ► JAY MARKS

Telephone No. ► (713) 464-6390 FAX No. ► 713-464-9177

- 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 7/15, 20 13, to file the exempt organization return for the organization named above.

The extension is for the organization's return for:

- ☐ calendar year 20 _____ or
- ☒ tax year beginning 12/01, 20 11, and ending 11/30, 20 12

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	\$	0.
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	\$	0.
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.

BAA For Paperwork Reduction Act Notice, see Instructions.Form **8868** (Rev. 1-2012)

**Application for Extension of Time To File an
Exempt Organization Return**

OMB No. 1545-1709

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

- 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 File by the due date for filing your return. See instructions	Name of exempt organization or other filer, see instructions	Employer identification number (EIN) or
	JAY & SHIRLEY MARKS FOUNDATION	<input checked="" type="checkbox"/> 23-7253928
	Number, street, and room or suite number. If a P.O. box, see instructions	Social security number (SSN)
	585 TRIANON	<input type="checkbox"/>
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	HOUSTON, TX 77024-4619	

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 (section 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 ► **JAY MARKS**

Telephone No. ► **(713) 464-6390** FAX No. ► **713-464-9177**

- 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 **7/15**, 20 **13**, to file the exempt organization return for the organization named above.
The extension is for the organization's return for:

- ☐ calendar year 20 _____ or
- ☒ tax year beginning **12/01**, 20 **11**, and ending **11/30**, 20 **12**

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	\$	0.
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	\$	0.
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

BAA For Paperwork Reduction Act Notice, see Instructions.Form **8868** (Rev. 1-2012)