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Form	990-PF
	nent of the Treasury 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.

Par beginning TUIL 1 2012 and ending JUN 30 . 2

OMB No 1545-0052

20	12
Open to pub	ic Inspection

FOL	aisn	dar year 2012 or tax year beginning JUL	1, 2012	, and ending	JUN 30, 401.	3
Nar	ne of	foundation			A Employer identificatio	n number
т	HE	MARKS FAMILY FOUNDATIO	N		16-1385710	6
		nd street (or P O box number if mail is not delivered to street		Room/suite	B Telephone number	-
7	2 1	HALLAM ROAD			716-877-1	618
		own, state, and ZIP code		· !	C If exemption application is	
-		FALO, NY 14216				, .
		all that apply: Initial return	Initial return of a fo	rmer public charity	D 1. Foreign organization	ns, check here
		Final return	Amended return			
		X Address change	Name change		Foreign organizations mechack here and attach of the control	neeting the 85% test, computation
H C	heck	type of organization: X Section 501(c)(3) ex	empt private foundation		E If private foundation st	atus was terminated
] Se	ction 4947(a)(1) nonexempt charitable trust	Other taxable private founda	tion	under section 507(b)(
I Fa	ır ma	rket value of all assets at end of year J Accounting	ng method: X Cash	Accrual	F If the foundation is in a	60-month termination
(fr	om F		her (specify)		under section 507(b)(1	
_	\$	2,109,094. (Part I, colu	mn (d) must be on cash t	oasis)		
Pa	rt I	Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not	(a) Revenue and	(b) Net investment	(c) Adjusted net	(d) Disbursements for charitable purposes
		necessarily equal the amounts in column (a)	expenses per books	income	income	(cash basis only)
	1	Contributions, gifts, grants, etc., received			N/A	
	2	Check I if the foundation is not required to attach Sch. B				<u> </u>
	3	Interest on savings and temporary cash investments				
	4	Dividends and interest from securities	36,437.	<u>36,437</u>	•	STATEMENT 1
	5a	Gross rents				
Revenue	b	Net rental income or (loss)				
	6a	Net gain or (loss) from sale of assets not on line 10	<20,521.	>	-	
	b	Gross sales price for all assets on line 6a 1,041,346.				
	7	Capital gain net income (from Part IV, line 2)		0	•	
	8	Net short-term capital gain				
	9	Income modifications Gross sales less returns				
	10a	and allowances		*********		
		Less Cost of goods sold				
		Gross profit or (loss)	37.	37		CD3 DEMENTS 2
	11	Other income	15,953.	36,474		STATEMENT 2
	12	Total. Add lines Tthrough # COMPENSATION OF Afficers, directors, trustees etc.		30,4,4		0.
	13	Other employee salaries and wages	(a)		•	
	14 15	Pension plans, employee penetrs 2 1 2013	Ö	· · ·		
es		Legal fees		· · · · <u>-</u> · · · ·		
Sus	l Va	Accounting fees OFSEMT BIT	2,500.	2,500		0.
Expens	ء ا	Other professional fees	23,778.	23,778		0.
e E	17	Interest				
Operating and Administrative	• •	Taxes				
istr	19	Depreciation and depletion	-			
ij	20	Occupancy				
Ad	21	Travel, conferences, and meetings				
Į	22	Printing and publications				
g S	23	Other expenses STMT 5	2,942.	2,442	•	500.
ati	24	Total operating and administrative				
þer		expenses. Add lines 13 through 23	29,220.	28,720	•	500.
0	25	Contributions, gifts, grants paid	99,989.			99,989.
	26	Total expenses and disbursements.				
	<u> </u>	Add lines 24 and 25	129,209.	28,720		100,489.
	27	Subtract line 26 from line 12:				
	ı	Excess of revenue over expenses and disbursements	<113,256.			
	1 .	Net investment income (if negative, enter -0-)		7,754		
2235		Adjusted net income (if negative, enter -0-)	<u> </u>		N/A	Form 990 - DE (2012)

1	Total net assets or fund balances at beginning of year - Part II, column (a), line 30	1 1	
	(must agree with end-of-year figure reported on prior year's return)	1	1,983,553.
2	Enter amount from Part I, line 27a	2	<113,256.
3	Other increases not included in line 2 (itemize)	3	0.
4	Add lines 1, 2, and 3	4	1,870,297.
5	Decreases not included in line 2 (itemize)	5	0.
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,870,297.

Part IV Capital Gains ar	nd Losses for Tax on In	vestment	Income			_		<u>.</u>	
	e the kind(s) of property sold (e.g. house; or common stock, 200 shs			` P	How ac - Purc - Dona	equired hase ation	(c) Date (mo., c	acquired lay, yr.)	(d) Date sold (mo., day, yr.)
1a MELLON INVESTME	NTS					P	VARI	ous	VARIOUS
b BNY MELLON INTE						P	VARI		12/17/12
c BNY MELLON BOND	FUND - M	·		_		P	VARI	OUS	12/17/12
d			_	 					
<u>e</u>		1.1.2		<u> </u>					
(e) Gross sales price	(f) Depreciation allowed (or allowable)	plus e	t or other basis xpense of sale					aın or (loss s (f) minus	
a 1,040,605.			<u>1,061,86</u>	57.					<21,262.
b 58.									58.
<u>c</u> 683.								·	683.
<u>d</u>					-			· ·	
Complete only for assets showing	gain in column (h) and owned by t	he foundation	on 12/31/69				I) Gaine (C	Col. (h) gain	minue
	(j) Adjusted basis		cess of col. (I)			co (l. (k), but i	not leśs tha	n -0-) or
(i) F.M.V. as of 12/31/69	as of 12/31/69		col. (j), if any				Losses	(from col.	(h))
a									<21,262.
b									58.
С									683.
d									
e									
	∫ If gain, also enter			1					
2 Capital gain net income or (net capit	tal loss) 🧣 If (loss), enter -0-	ın Part I, line	7	了	2				<20,521.
3 Net short-term capital gain or (loss)		d (6):							
If gain, also enter in Part I, line 8, co	lumn (c).			 	•			NT / N	
If (loss), enter -0- in Part I, line 8 Part V Qualification Union	der Section 4940(e) for	Reduced	Tax on Net	· Inv	<u> </u>	ent Inc	come	N/A	<u> </u>
(For optional use by domestic private for									
	·	15 10(4) 427 011	not invodement in	1001110	,				
If section 4940(d)(2) applies, leave this	part blank.								
Was the foundation liable for the sectio	n 4942 tax on the distributable am	ount of any ye	ear in the base pei	rıod?					Yes X No
If "Yes," the foundation does not qualify	under section 4940(e). Do not co	mplete this pa	rt.						
1 Enter the appropriate amount in each	ch column for each year; see the in	structions be	fore making any e	ntries					-
(a) Base periód years	(b)		Nation of a	(c)				Distril	(d) bution ratio
Calendar year (or tax year beginning			Net value of no					(col. (b) dr	vided by col. (c))
2011		7,811.				9,51			.047958
2010		3,755.		<u> 2</u>	, 02	$\frac{0,592}{2,420}$	L .		.046400
2009		7,879. 6,543.				2,429			.052838
2008		$\frac{0,343.}{2,125.}$				0,382 5,155			.062019 .016815
2007		<u>4,14,5 •</u>			, 50	J, IJ.	, 	i	•010013
2 Total of line 1, column (d)							2		.226030
3 Average distribution ratio for the 5-y	vear hase period - divide the total c	on line 2 hv 5	or hy the number	of ve	ars	-	-	-	•220030
the foundation has been in existence		,,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	or by the manibor	0. 90.	u. 5		3		.045206
	, , , , , , , , , , , , , , , , , , ,						-		
4 Enter the net value of noncharitable	-use assets for 2012 from Part X, I	ine 5					4		2,000,890.
5 Multiply line 4 by line 3							5		90,452.
6 Enter 1% of net investment income	(1% of Part I, line 27b)	_					_6_		78.
7 Add lines 5 and 6		-					7		90,530.
							1		400 400
8 Enter qualifying distributions from F							8	l	100,489.
If line 8 is equal to or greater than li See the Part VI instructions.	ne 7, check the box in Part VI, line	1b, and comp	lete that part usin	ig a 19	% tax ı	rate.			

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	rt VI . Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or	1948	see ii	nstru	ctior	15)
1a	Exempt operating foundations described in section 4940(d)(2), check here and enter "N/A" on line 1.					
	Date of ruling or determination letter: (attach copy of letter if necessary-see instructions)			-		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here X and enter 1%	1				78.
	of Part I, line 27b					
C	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).					
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	2				<u>0.</u>
	Add lines 1 and 2	3				7 8.
4	Subtrtle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	4				<u>0.</u>
	Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-	5				<u>78.</u>
6	Credits/Payments:					
a	2012 estimated tax payments and 2011 overpayment credited to 2012 6a 2,541					
b	Exempt foreign organizations - tax withheld at source 6b					
С	Tax paid with application for extension of time to file (Form 8868) 6c	_	′			
d	Backup withholding erroneously withheld 6d 6d] _				
7	Total credits and payments. Add lines 6a through 6d	7			2,5	<u>41.</u>
8	Enter any penalty for underpayment of estimated tax. Check here if Form 2220 is attached	8				
9	Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9				
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10			2,4	63.
11	Enter the amount of line 10 to be: Credited to 2013 estimated tax > 2,463. Refunded	11				<u>0.</u>
Pa	rt VII-A Statements Regarding Activities					
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or interver	e ın			Yes	
	any political campaign?			1a		X
b	Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?			1b		X
	If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials publish	ned 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. \blacktriangleright \$ (2) On foundation managers. \blacktriangleright \$	•				
е	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation					
	managers. ► \$0.					l
2	Has the foundation engaged in any activities that have not previously been reported to the IRS?			2		X
	If "Yes," attach a detailed description of the activities.					
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
	Did the foundation have unrelated business gross income of \$1,000 or more during the year?	•	r/3	4a_		X
	If "Yes," has it filed a tax return on Form 990-T for this year?	T.	I/A	4b		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year?			5		X
_	If "Yes," attach the statement required by General Instruction T.					
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either:					
	By language in the governing instrument, or One of the translation of the second state of the second	to love				
	By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state of the state	ie iaw			х	,
_	remain in the governing instrument?			7	X	
7	Did the foundation have at least \$5,000 in assets at any time during the year?			- '-	Α.	
_	If "Yes," complete Part II, col. (c), and Part XV.					ľ
ga	Enter the states to which the foundation reports or with which it is registered (see instructions)					
	NY If the angular is "Ver" to line 7, has the foundation furnished a copy of Form 000. PE to the Attorney Coperal (or decignate)					
t	of the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate)			8b	х	
^	of each state as required by General Instruction G? If "No," attach explanation	lendar	-	00		
y	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for cavear 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? If "Yes," complete Part XIV	icituai		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
10	DID GITY DELOCITO DECORDE OUDOIGNEED CONTRIBUTIONS CONTRIBUTIONS CONTRIBUTION AND A PAGE 18 TEST, ACCRETATE ACCRETATE AND ACCRESSES					

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Pa	rt 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		<u>X</u> _
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 ▶ DEBBIE KULL Telephone no. ▶716-87	7-1	618	
	Located at ▶72 HALLAM, BUFFALO, NY ZIP+4 ▶14	216		
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	N	/A	
16	At any time during calendar year 2012, did the foundation have an interest in or a signature or other authority over a bank,		Yes	No
	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			
Pa	rt 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?			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from)			
	a disqualified person?			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	1		
	(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)?		1	
	(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	1		
	termination of government service, if terminating within 90 days.)			
b	If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations			
Ī	section 53.4941(d)-3 or in a current notice regarding disaster assistance (see instructions)? N/A	1b		
	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 2012?	1c	~~	х
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)):			
2	At the end of tax year 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning			
_	before 2012? Yes X No	1		
	If "Yes," list the years			
h	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.) N/A	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.			
Ī	• The provided of section is 12(2)(2) and soming approved any or and years needed in 21, included in 1881.			
32	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time	1		
	during the year?	1		
h	If "Yes," did it have excess business holdings in 2012 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 2012.) N/A	3b		
4:	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		х
	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that	1.0		
L	had not been removed from jeopardy before the first day of the tax year beginning in 2012?	4b		x

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Part VII-B Statements Regarding Activities for Which F	orm 4720 May Be F	Required (continu	ued)		
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))?	Ye	s X No		
(2) Influence the outcome of any specific public election (see section 4955); o	* **	ectly,			
any voter registration drive?	, , ,		es 🗶 No		
· · · · · · · · · · · · · · · · · · ·	(3) Provide a grant to an individual for travel, study, or other similar purposes?				
(4) Provide a grant to an organization other than a charitable, etc., organization			es X No		
509(a)(1), (2), or (3), or section 4940(d)(2)?	a described in section		es X No		
(5) Provide for any purpose other than religious, charitable, scientific, literary,	or aducational nurnaces or		.3 [22] 110		
the prevention of cruelty to children or animals?	or concational purposes, or		s X No		
•			S LALINU		
b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify und		iii negulalions	NT/A	.	
section 53.4945 or in a current notice regarding disaster assistance (see instru	=	-	N/A	5 b	
Organizations relying on a current notice regarding disaster assistance check h					
c If the answer is "Yes" to question 5a(4), does the foundation claim exemption fr					
expenditure responsibility for the grant?		I/A ∐ Y∈	es L No		
If "Yes," attach the statement required by Regulations section 53.4945	5-5(d).				
6a Did the foundation, during the year, receive any funds, directly or indirectly, to	pay premiums on				
a personal benefit contract?		L Ye	es 🗶 No		
b Did the foundation, during the year, pay premiums, directly or indirectly, on a p	ersonal benefit contract?			Sb X	
If "Yes" to 6b, file Form 8870.					
7a At any time during the tax year, was the foundation a party to a prohibited tax s	helter transaction?	Y6	s X No		
b If "Yes," did the foundation receive any proceeds or have any net income attribu			N/A	7b	
Information About Officers Directors Trust		nagers, Highly	/		
Part VIII Paid Employees, and Contractors	•				
1 List all officers, directors, trustees, foundation managers and their	compensation.				
	(b) Title, and average hours per week devoted	(c) Compensation	(d) Contributions to employee benefit plans and deferred	(e) Expense account, other	
(a) Name and address	to position	(If not paid, enter -0-)	and deferred compensation	allowances	
SEE STATEMENT 8		0.	0.	0.	
2 Compensation of five highest-paid employees (other than those inc	luded on line 1). If none.	enter "NONE."	l		
	(b) Title, and average	11011111	(d) Contributions to employee benefit plans	(e) Expense	
(a) Name and address of each employee paid more than \$50,000	` 'hours per week `	(c) Compensation	and deterred	(e) Expense account, other allowances	
MONTE	devoted to position	<u> </u>	compensation	allowalices	
NONE					
	<u></u>				
		1			
					
		1			
	<u></u>				
Total number of other employees paid over \$50,000			>	0	
			Form	990-PF (2012)	

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Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)		
3 Five highest-paid independent contractors for professional services. 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 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		Expenses
number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.		
THIS FOUNDATION IS SOLELY ENGAGED IN CHARITABLE GIVING AND		
DOES NOT CONDUCT ANY DIRECT CHARITABLE ACTIVITIES OR MAKE		
PROGRAM RELATED INVESTMENTS		0.
<u> </u>		
2		
<u> </u>		
	_	
Part IX-B Summary of Program-Related Investments		
Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.		Amount
SAME AS PART IX-A	_	
		0
		0.
	\dashv	
All other program-related investments. See instructions.		
<u> </u>		
Total. Add lines 1 through 3	>	0.
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Ρ	art X Minimum Investment Return (All domestic foundations must complete this part. Foreign four	ndations,	see instructions.)
1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
	Average monthly fair market value of securities	1a	2,025,065.
	Average of monthly cash balances	1b	6,295.
	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	2,031,360.
	Reduction claimed for blockage or other factors reported on lines 1a and		
	1c (attach detailed explanation) 1e 0		
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	2,031,360.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	30,470.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	2,000,890.
6	Minimum investment return. Enter 5% of line 5	6	100,045.
P	art XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and foreign organizations check here and do not complete this part.)	id certain	
1	Mınımum investment return from Part X, line 6	1	100,045.
2a	Tax on investment income for 2012 from Part VI, line 5		•
b	Income tax for 2012. (This does not include the tax from Part VI.)		
С	Add lines 2a and 2b	2c	78.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	99,967.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	99,967.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	99,967.
P	art 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	100,489.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	100,489.
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	5	78.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	100,411.
	Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation of	qualifies fo	r the section

Part XIII ' Undistributed Income (see instructions)

Distributable amount for 2012 from Part XI, Ins. 7 Linderholder scene, frança, and the and of 2012 a Enter amount for 2011 only b Total for prof years:	,	(a) Corpus	(b) Years prior to 2011	(c) 2011	(d) 2012
Inter 99,967.	1 Distributable amount for 2012 from Part XI,		i		
2 Undestructed scene, dany, as of the end of 5019 is. Enter amount for 2011 only b Total for prory years: 3 Excess distributions curryover, if any, to 2012; a From 2007 b From 2008 c From 2009 d From 2010 e From 2010 e From 2011 Total of lines 3s through e 4 Qualifying distributions for 2012 from Part XVI, line 4; b S 100, A89 a Appled to 2015, but not more than line 2a happled to 2015 the from 2010 e From 2011 for part XVI, line 4; b S 100, A89 a Appled to 2015, but not more than line 2a happled to 2016 distributions of 10 corpus (Election required - see instructions) d Appled to 2012 distributions of 10 corpus (Election required - see instructions) d Appled to 2012 distributions amount floatifued or of corpus (Election required - see instructions) d Appled to 2012 distributions amount more than line 2 b From 2012 the form and accept the form of the form and accept the form and the form and accept the form and					99,967.
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From 2011					
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b Excess from 2009 c Excess from 2010 d Excess from 2011					
c Excess from 2010 d Excess from 2011					
d Excess from 2011					

	KS FAMILY F		<u> </u>		85716 Page 10
Part XIV Private Operating F	oundations (see in	structions and Part VI	-A, question 9)	N/A	
1 a If the foundation has received a ruling of	r determination letter tha	t it is a private operating			
foundation, and the ruling is effective fo	r 2012, enter the date of	the ruling	▶		
b Check box to indicate whether the found	dation is a private operati	ng foundation described		4942(j)(3) or49	942(j)(5)
2 a Enter the lesser of the adjusted net	Tax year	-	Prior 3 years		
income from Part I or the minimum	(a) 2012	(b) 2011	(c) 2010	(d) 2009	(e) Total
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		1.50			
Part XV Supplementary Info	rmation (Comple	te this part only	if the foundation	on had \$5,000 or m	ore in assets
at any time during					
1 Information Regarding Foundation	on Managers:			· · · · · · · · · · · · · · · · ·	
a List any managers of the foundation wh	_	than 2% of the total con	tributions received by	the foundation before the clo	se of any tax
year (but only if they have contributed i			·		·
SEE STATEMENT 9					
b List any managers of the foundation wh	no own 10% or more of th	ne stock of a corporation	(or an equally large po	rtion of the ownership of a p	partnership or
other entity) of which the foundation ha					
NONE					
2 Information Regarding Contribut	ion, Grant, Gift, Loan	, Scholarship, etc., P	rograms:		
Check here ► X if the foundation of				s not accept unsolicited req	uests for funds. If
the foundation makes gifts, grants, etc.					
a The name, address, and telephone num	nber or e-mail of the perso	on to whom applications	should be addressed:		
b The form in which applications should	be submitted and informa	tion and materials they s	hould include:		
c Any submission deadlines:			•		
d Any restrictions or limitations on award	ls, such as by geographic	al areas, charitable fields	, kinds of institutions,	or other factors:	

3 Grants and Contributions Paid During the Yo	ear or Approved for Future I	Payment		
Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of	Purpose of grant or contribution	Amount
Name and address (home or business)	or substantial contributor	recipient	CONTRIBUTION	
a Paid during the year				
				•
1000 FRIENDS OF FLORIDA	NONE	PUBLIC	GENERAL CHARITABLE USE	500.
ALBRIGHT-KNOX ART GALLERY	NONE	PUBLIC	GENERAL CHARITABLE USE	
				100.
ATLANTIC SALMON FEDERATION	NONE	PUBLIC	GENERAL CHARITABLE USE	
ATHANTIC DAMAGN TERRITOR				500.
BIG ORBIT GALLERY	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
				100.
BOSTON UNIVERSITY	NONE	PUBLIC	GENERAL CHARITABLE USE	
Total SEE COI	 	<u> </u> የጥ / ር \	▶ 3a	99,989.
b Approved for future payment	TIMORITON SHEE		34	99,989.
,,				
NONE				
NONE				
Total			▶ 3b	0.
			F	orm 990-PF (2012)

223621 12-05-12

Form **990-PF** (2012)

Part XVI-A **Analysis of Income-Producing Activities**

Enter gross amounts unless otherwise indicated.		Dusiness income		ed by section 512, 513, or 514	(e)
1 Program service revenue:	(a) Business code	(b) Amount	(C) Exclu- sion code	(d) Amount	Related or exempt function income
a	_				
b	_		<u> </u>		
c			<u> </u>		
d					
e					
f	_				
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash					
investments					
4 Dividends and interest from securities			14	36,437.	
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			14	37.	
8 Gain or (loss) from sales of assets other			11-		,, <u></u>
than inventory			18	<20,521.	>
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue:	-		1		
a			1		
b					
C					
d					
e	-				
12 Subtotal. Add columns (b), (d), and (e)	_	0.		15,953.	0.
13 Total. Add line 12, columns (b), (d), and (e)			 	13	
(See worksheet in line 13 instructions to verify calculations.)					
		mplichment of E	romnt	Durnosos	
Part XVI-B Relationship of Activities	to the Acco	inplishment of E	kempi	rurposes	
Line No. Explain below how each activity for which in			\ contribu	ted importantly to the accom	plishment of
the foundation's exempt purposes (other than	in by providing fun	ds for such purposes).			
N/A					
		····			
		 			
		· · · · · · · · · · · · · · · · · · ·			

		Exempt Organ	izations							
1 [Old the or	ganization directly or indir	rectly engage in any o	of the following	g with any other organizatio	n described in sectio	n 501(c) of		Yes	No
					7, relating to political organi					
		from the reporting founda								
	(1) Cash				-			1a(1)		X
	2) Other	assets	•					1a(2)	_	X
	Other trans				-		•			
-		of assets to a noncharital	hle evemnt organizati	ion				1b(1)		X
		ases of assets from a noi			•			1b(2)		X
•		l of facilities, equipment, (•	rgumzation				1b(3)		X
,	•	oursement arrangements	•					1b(4)		X
•		-		•		-		1b(5)		X
		s or loan guarantees rmance of services or me	mbarahin ar fundrais	vaa ooliestatio	no			1b(6)		X
		facilities, equipment, ma					-	10(0)		X
					dule. Column (b) should alv	wave chow the fair ma	rket value of the goods of		eate	
					ed less than fair market valu				,,	
) the value of the goods, (ca icss man ian market vala	ic in any dansaction (or snaring arrangement, or	O# III		
(a) Lin		(b) Amount involved			exempt organization	(d) Description of	f transfers, transactions, and s	haring ar	rangeme	nts
. ,		(_/	(0)	N/A				_		
				21/12						
			,							
		**-	· · ·				,			
			-							
			1							
				<u></u>						
		. •								
2a	ls the four	ndation directly or indirect	tly affiliated with, or r	elated to, one	or more tax-exempt organi	zations described				
		501(c) of the Code (other	-					Yes	X	No
Ь	If "Yes," co	omplete the following sch	edule.	. ,,						
		(a) Name of org			(b) Type of organization	(0) Description of relationsh	ıp		
		N/A								
				•						
					ng accompanying schedules and			the IRS	discuss	this
Sig	n 🛌	elief, it is true, correct, and cor	mplete Declaration of pre	eparer (other tha	n taxpayer) is based on all inform	nation of which preparer i	retur	n with the	e prepar	er
Her	e	Lang	The .		1/-11-13	Trusto		Yes		No
	Sign	nature of officer or trustee	;		Date	Title				
		Print/Type preparer's na	ame	Preparer's s	ignature,	Date	Check If PTIN			
			ļ	7.	1 / 1/12	10/12/1-	self- employed-			
Pai	d	DAVID R. B	ARRETT	1/max	L.Danie CPA	14/18/12		055		
Pre	parer	Firm's name ► FRE		CPAS,	P.C.	' /	Firm's EIN ► 45-40			
Use	e Only									
		Firm's address ► 80	0 LIBERTY	BLDG.	420 MAIN ST	•				
			FFALO, NY				Phone no. 716 - 8	<u> 47</u> -	265	1
								m 99 0		

Department of the Treasury Internal Revenue Service

Depreciation and Amortization 990-PF

(Including Information on Listed Property) See separate instructions.

Attach to your tax return.

OMB No 1545-0172

Attachment Sequence No 179

Business or activity to which this form relates Identifying number Name(s) shown on return FORM 990-PF PAGE 1 16-1385716 THE MARKS FAMILY FOUNDATION Part I | Election To Expense Certain Property Under Section 179 Note: If you have any listed property, complete Part V before you complete Part I. 500,000. 1 Maximum amount (see instructions) 2 2 Total cost of section 179 property placed in service (see instructions) 2,000,000. 3 Threshold cost of section 179 property before reduction in limitation 4 Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-Dollar limitation for tax year Subtract line 4 from line 1 If zero or less, enter -0- If married filing separately, see instructions (b) Cost (business use only) (c) Elected cost (a) Description of property 7 7 Listed property. Enter the amount from line 29 Total elected cost of section 179 property Add amounts in column (c), lines 6 and 7 9 Tentative deduction. Enter the smaller of line 5 or line 8 10 Carryover of disallowed deduction from line 13 of your 2011 Form 4562 10 11 Business income limitation. Enter the smaller of business income (not less than zero) or line 5 11 12 Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11 12 13 Carryover of disallowed deduction to 2013. Add lines 9 and 10, less line 12 Note: Do not use Part II or Part III below for listed property. Instead, use Part V Special Depreciation Allowance and Other Depreciation (Do not include listed property) 14 Special depreciation allowance for qualified property (other than listed property) placed in service during the tax vear 15 Property subject to section 168(f)(1) election 15 16 Other depreciation (including ACRS) Part III | MACRS Depreciation (Do not include listed property.) (See instructions.) Section A 17 17 MACRS deductions for assets placed in service in tax years beginning before 2012 18 if you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here Section B - Assets Placed in Service During 2012 Tax Year Using the General Depreciation System (c) Basis for depreciation (business/investment use only - see instructions) (b) Month and (d) Recovery (f) Method (e) Convention (a) Depreciation deduction (a) Classification of property 3-year property 19a 5-year property b 7-year property C 10-year property d 15-year property е 20-year property f 25 yrs. SA 25-year property q 27 5 yrs. MM S/L h Residential rental property 27.5 yrs. MM S/L MM S/L 39 yrs Nonresidential real property i ММ S/L Section C - Assets Placed in Service During 2012 Tax Year Using the Alternative Depreciation System 20a Class life S/L 12 yrs S/I 12-year MM S/L 40 yrs 40-year Part IV | Summary (See instructions.) 21 Listed property. Enter amount from line 28 21 22 Total, Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. 0. Enter here and on the appropriate lines of your return Partnerships and S corporations - see instr 23 For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs

23

	m 4562	(2012) Listed Propert		MARKS						s and pro	norty use	od for en			716	
Pa	irt V	amusement)														
		Note: For any through (c) of S	Section A, all	of Section	B, and Sec	ction C if	applic	cable.							1b, colun	nns (a)
			Depreciation													
<u>24a</u>	Do you	have evidence to s			ment use cl	aimed?	<u> </u>	Yes L	_ No	24b If "Y	T		ice writt	en? L	」Yes	No
		(a) of property nicles first)	(b) Date placed in service	(c) Busines investme use percen	ent ot	(d) Cost or ther basis	1.0	(e) Basis for depr business/inv use onl	estment	(f) Recovery period	Met	g) thod/ ention	Depre	h) ciation iction	Elec sectio	(i) cted on 179 ost
25	Special	depreciation allo	owance for q	ualified liste	ed property	/ placed	ın ser	vice durin	g the t	ax year an	d					
	used mo	ore than 50% in	a qualified b	usiness use		·			_			25				
26	Propert	y used more tha	n 50% in a c	ualified bus	iness use											
	· · · · · · · · · · · · · · · · · · ·				%											
					%											
					%					<u> </u>	<u> </u>					
27	Propert	y used 50% or k	ess in a qual	fied busine	ss use.						·					
					%						S/L·					
					%						S/L·					
			<u> </u>		%					l .	S/L·					
28	Add am	ounts in column	ı (h), lınes 25	through 27	. Enter her	e and or	n line 2	21, page 1		-		28				
<u>29</u>	Add am	ounts in column	ı (i), lıne 26. E	nter here a	nd on line	7, page	1							29		
								on On Use								
If yo	nplete thou provides the province the provin	nis section for ve ded vehicles to y les.	ehicles used your employe	by a sole pr ees, first ans	oprietor, p swer the qi	artner, c uestions	or othe in Se	er "more th ction C to	nan 5% see if	6 owner," (you meet	or related an excep	d person Stion to c	completi	ng this s	section fo	or
30	Total bus	siness/investment	miles driven d	uring the	1 -	a) hicle		(b) Vehicle	\	(c) Vehicle	1	d) ricle		e) nicle	(1 Veh	
	year (do	not include comi	muting mıles)]									
31	Total co	mmuting miles	driven during	the year			<u> </u>		<u> </u>							
32	Total ot	her personal (no	oncommuting	j) miles												
	driven								<u> </u>							
33	Total m	iles driven during	g the year.													
	Add line	es 30 through 32	2													
34	Was the	e vehicle availab	le for persor	al use	Yes	No	Ye	s No	Yes	s No	Yes	No	Yes	No	Yes	No
	during	off-duty hours?				1	ļ				ļ					
35	Was the	e vehicle used p	rimarily by a	more			1							ļ		
	than 5%	6 owner or relate	ed person?							_	<u> </u>					
36		ner vehicle availa	able for perso	onal					-		1		1	1		
	use?	•									<u> </u>	<u> </u>		L		<u> </u>
				- Question	•	-					-					50/
		se questions to	determine if	you meet ai	n exception	n to com	npietin	ig Section	B for v	venicies us	sea by ei	npioyee	s wno a	re not m	nore than	1 5%
		elated persons.	.14.					6		-1					V	TNI
37		maintain a writte	en policy sta	tement that	pronibits	ali perso	nai us	se or verilo	ies, inc	cluding co	minuting	, by you	ſ		Yes	No
	employ	ees? maintain a writti	on naliai, ata	tomont that	probibite i	norcona	Luco	of vobicles	0000	nt commu	tına by s	OUT				+
36		ees? See the ins										, oui				
30		treat all use of v					1110013	, uncotor	s, Oi 17	o or more	OWNERS			-		1
		provide more th					ınforn	nation froi	n vour	emplovee	s about					1
		of the vehicles,							,	op.o, oo	0 43021					
		meet the require					emons	stration us	e?							1
٠.		your answer to								covered v	ehicles.					,
Pa		Amortization	0.,00,00,	<u> </u>	,											
نت.		(a)			(b)			c)		(d)		(e)		-	(f)	
		Description of	of costs		Date amortization begins	1	Amort	tizable ount		Code section		Amortiza period or per		A	mortization or this year	
42	Amortiz	ation of costs th	nat begins di	unng your 2		ar:										
																
43	Amortiz	ation of costs th	hat began be	fore your 20	012 tax ye	ar							43			000.
<u>44</u>	Total.	Add amounts in	column (f) S	ee the instr	uctions for	where t	o repo	ort					44		2,	000.

Part XV Supplementary Information				
3 Grants, and Contributions Paid During the Y				
Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager	Foundation status of	Purpose of grant or contribution	Amount
value and address (nome of business)	or substantial contributor	recipient		
BOYS & GIRLS CLUB OF THE NORTHTOWNS	NONE	PUBLIC	GENERAL CHARITABLE USE	10,000.
BRONX RIVER ALLIANCE	NONE	PUBLIC	GENERAL CHARITABLE USE	50.
BROOKLYN BOTANICAL GARDENS	NONE	PUBLIC	GENERAL CHARITABLE USE	80.
BUFFALO CITY MISSION	NONE	PUBLIC	GENERAL CHARITABLE USE	500.
BUFFALO MUSEUM OF SCIENCE	NONE	PUBLIC	GENERAL CHARITABLE USE	8,000.
BUFFALO PREP	NONE	PUBLIC	GENERAL CHARITABLE USE	875.
BUFFALO ZOO	NONE	PUBLIC	GENERAL CHARITABLE USE	200.
CAMPAIGN FOR GREATER BUFFALO HISTORY	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
CEPA GALLERY	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
CHILDREN'S DYSLEXIA CENTERS	NONE	PUBLIC	GENERAL CHARITABLE USE	2,000.
Total from continuation sheets	<u></u>			98,289.

Part XV Supplementary Information				
3 Grants and Contributions Paid During the Y				
Recipient	If recipient is an individual, show any relationship to any foundation manager	Foundation status of	Purpose of grant or contribution	Amount
Name and address (home or business)	or substantial contributor	recipient	Condibution	
CITY HARVEST	NONE	PUBLIC	GENERAL CHARITABLE USE	
				85.
COMMUNITY FOUNDATION FOR GREATER	NONE	PUBLIC	GENERAL CHARITABLE USE	
BUFFALO	NONE	102210		5,000.
FOOD BANK OF WESTERN NEW YORK	NONE	PUBLIC	GENERAL CHARITABLE USE	
				2,000.
FUND FOR GIRL SCOUTS OF KENNEBUNKPORT	NONE	PUBLIC	GENERAL CHARITABLE USE	5,000.
GALLOPNYC	NONE	PUBLIC	GENERAL CHARITABLE USE	
		i		50.
GENESEO FOUNDATION	NONE	PUBLIC	GENERAL CHARITABLE USE	500.
				<u>.</u>
HABITAT FOR HUMANITY	NONE	PUBLIC	GENERAL CHARITABLE USE	
				50.
HALLWALLS OF BUFFALO	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
HANLEY CENTER FOUNDATION	NONE	PUBLIC	GENERAL CHARITABLE USE	
				1,000.
HEALTH SCIENCES CHARTER SCHOOL	NONE	PUBLIC	GENERAL CHARITABLE USE	20,000.
Total from continuation sheets				

Part XV **Supplementary Information** Grants and Contributions Paid During the Year (Continuation) If recipient is an individual, show any relationship to any foundation manager or substantial contributor Recipient Purpose of grant or contribution Foundation Amount status of Name and address (home or business) recipient HOLY TRINITY LUTHERAN CHURCH NONE PUBLIC GENERAL CHARITABLE USE 1,046. HOSPICE FOUNDATION NONE PUBLIC GENERAL CHARITABLE USE 150. HOSPICE OF PALM BEACH NONE PUBLIC GENERAL CHARITABLE USE 100. KINGDOM COUNTY PRODUCTIONS NONE PUBLIC GENERAL CHARITABLE USE 3,000. NONE PUBLIC GENERAL CHARITABLE USE LITERACY NEW YORK - BUFFALO NIAGARA 5,000. MOUNTS BOTANICAL NONE PUBLIC GENERAL CHARITABLE USE 250. GENERAL CHARITABLE USE NAMI LOS ANGELES COUNTY WALK NONE PUBLIC 50. NONE PUBLIC GENERAL CHARITABLE USE NATIONAL RESOURCE DEFENSE 0. NATIVITYMUGUEL MIDDLE SCHOOL NONE PUBLIC GENERAL CHARITABLE USE 2,335. NEW YORK PUBLIC LIBRARY NONE PUBLIC GENERAL CHARITABLE USE 50. Total from continuation sheets

Part XV **Supplementary Information** Grants and Contributions Paid During the Year (Continuation) If recipient is an individual, Recipient show any relationship to any foundation manager or substantial contributor Foundation Purpose of grant or **Amount** status of contribution Name and address (home or business) recipient NEW YORK PUBLIC RADIO PUBLIC GENERAL CHARITABLE USE NONE 50. NICHOLS SCHOOL NONE PUBLIC GENERAL CHARITABLE USE 100. NORTH SHORE ANIMAL LEAGUE NONE PUBLIC GENERAL CHARITABLE USE 50. PUBLIC GENERAL CHARITABLE USE PARK SCHOOL OF BUFFALO NONE 8,433. NONE PUBLIC GENERAL CHARITABLE USE PARSONS THE NEW SCHOOL FOR DESIGN 250. PARTNERS IN HEALTH NONE PUBLIC GENERAL CHARITABLE USE 100. PLANNED PARENTHOOD OF NYC NONE PUBLIC GENERAL CHARITABLE USE 100. NONE PUBLIC GENERAL CHARITABLE USE PROSPECT PARK ALLIANCE 35. ROSWELL PARK ALLIANCE FOUNDATION NONE PUBLIC GENERAL CHARITABLE USE 10,000. SKIDMORE COLLEGE ANNUAL FUND NONE PUBLIC GENERAL CHARITABLE USE 100. Total from continuation sheets

Part XV Supplementary Informatio 3 Grants and Contributions Paid During the			· · · · · · · · · · · · · · · · · · ·	
Recipient	If recipient is an individual,	Foundation status of	Purpose of grant or contribution	Amount
Name and address (home or business)	any foundation manager or substantial contributor	recipient	CONTRIBUTION	
SOCIETY OF THE FOUR ARTS	NONE	PUBLIC	GENERAL CHARITABLE USE	250
FANG MUSEUM	none	PUBLIC	CENTEDAL CUADIMADI P. IICE	
TANG MOSEUM	NONE	FORLIC	GENERAL CHARITABLE USE	100
THE DOE FUND	NONE	PUBLIC	GENERAL CHARITABLE USE	
		,		100
UNITED WAY - TOY DRIVE	NONE	PUBLIC	GENERAL CHARITABLE USE	100
UNITED WAY OF BUFFALO & ERIE COUNTY	NONE	PUBLIC	GENERAL CHARITABLE USE	10,000
UNIVERSITY OF TEXAS AT AUSTIN	NONE	PUBLIC	GENERAL CHARITABLE USE	100
VERMONT WOMEN'S FUND	NONE	PUBLIC	GENERAL CHARITABLE USE	250
WALNUT HILL SCHOOL	NONE	PUBLIC	GENERAL CHARITABLE USE	500

2 - June 30, 2013

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Activity detail	letail				1
Date	Transaction description	Principal cash	Income cash	Tax cost	
07/01/2012	Beginning balances	\$ 6,435.95	\$ 3,312.87	\$ 1,968,043,14	
Receipts					
Sales and maturities	ies				
Date	Transaction description	Principal cash	Income cash	Tax cost	Gain/loss
08/10/2012	Sold 25,508.225 Units Of BNY Mellon L/C Mkt Opp-M Trade Date 8/9/12 Theor, Settlement Date 8/10/12 Taxable To Federal And State 25,508.225 Units At \$12.04	\$ 307,119.03		\$ -290,867.21	\$ 16,251.82
08/10/2012	Sold 10,608.502 Units Of BNY Mellon Sm/Mid Cap-M Trade Date 8/9/12 Theor. Settlement Date 8/10/12 Taxable To Federal And State 10,608.502 Units At \$12.92	137,061.85		-125,533.14	11,528.71
08/10/2012	Sold 10,992.637 Units Of Dreyfus L/C Equity Fund-In Trade Date 8/9/12 Theor. Settlement Date 8/10/12 Taxable To Federal And State 10,992.637 Units At \$11.67	128,284.07		-120,259.44	8,024.63
08/10/2012	Sold 13,234,784 Units Of BNY Mellon Emerging Mkts-M Trade Date 8/9/12 Theor. Settlement Date 8/10/12 Taxable To Federal And State 13,234.784 Units At \$9.46	125,201.06		-141,274.95	-16,073.89
08/10/2012	Sold 10,628.871 Units Of Dreyfus Diversified Intl-I Trade Date 8/9/12 Theor. Settlement Date 8/10/12 Taxable To Federal And State 10,628.871 Units At \$9.48	100,761.70		-105,969.84	-5,208.14
08/10/2012	Sold 2,980.943 Units Of BNY Mellon Income Stock-M Trade Date 8/9/12 Theor. Settlement Date 8/10/12 Taxable To Federal And State 2,980.943 Units At \$6.99	20,836,79		-19,704.03	1,132.76
08/10/2012	Sold 1,792.736 Units Of Rydex Managed Futures Strategy FD-Y Trade Date 8/9/12 Theor. Settlement Date 8/10/12 Taxable To Federal And State 1,792.736 Units At \$22.27	39,924.23		-45,915.75	-5,991.52

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Receipts

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Sales and maturities contined	sei				
Date	Transaction description	Principal cash	Income cash	Tax cost	Gain/loss
09/26/2012	Sold 475 Shares Of ISHARES S&P GSCI Commodity-Ind Trade Date 9/21/12 Theor. Settlement Date 9/26/12 Sold Through Sei Financial Services Co Paid \$19.00 Brokerage Paid \$0.36 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State 475 Shares At \$33.85	16,059.39		-15,794.68	264.71
05/10/2013	Sold 533.944 Units Of BNY Mellon Corp Bond-M Trade Date 5/9/13 Theor. Settlement Date 5/10/13 Taxable To Federal And State 533.944 Units At \$13.11	7,000.00		-6,638.45	361.55
05/14/2013	Sold 1,370 Shares Of ISHARES MSCI Eafe Index FD Trade Date 5/9/13 Theor. Settlement Date 5/14/13 Sold Through Sei Financial Services Co Paid \$54.80 Brokerage Paid \$1.92 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State 1,370 Shares At \$62,5501	85,636.92		-110,586.40	-24,949.48
05/14/2013	Sold 150 Shares Of ISHARES Core S&P Small-Cap ETF Trade Date 5/9/13 Theor. Settlement Date 5/14/13 Sold Through Sei Financial Services Co Paid \$6.00 Brokerage Paid \$0.30 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State 150 Shares At \$89.32	13,391.70		-11,195.99	2,195.71
05/14/2013	Sold 140 Shares Of ISHARES Core S&P Mid-Cap ETF Trade Date 5/9/13 Theor. Settlement Date 5/14/13 Sold Through Sei Financial Services Co Paid \$5.60 Brokerage Paid \$0.37 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State 140 Shares At \$118.111	16,529.57		-13,479.20	3,050.37
05/22/2013	Sold 1,954.349 Units Of Highbridge Dynamic Comm Strat Fund-E Trade Date 5/21/13 Theor. Settlement Date 5/22/13 Taxable To Federal And State 1,954.349 Units At \$12.58	24,585.71		-37,323.69	-12,737.98

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Sales and maturities continued	urities				
Date	Transaction description	Principal cash	Income cash	Tax cost	Gain/loss
05/24/2013	Sold 30 Shares Of ISHARES Core S&P Mid-Cap ETF Trade Date 5/21/13 Theor, Settlement Date 5/24/13 Sold Through Sei Financial Services Co Paid \$1.20 Brokerage Paid \$0.08 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State 30 Shares At \$120.92	3,626.32		-2,888.40	737.92
05/24/2013	Sold 55 Shares Of ISHARES Core S&P Small-Cap ETF Trade Date 5/21/13 Theor. Settlement Date 5/24/13 Sold Through Sei Financial Services Co Paid \$2.20 Brokerage Paid \$0.11 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State 55 Shares At \$92.15	5,065.94		-4,105.19	960.75
05/24/2013	Sold 40 Shares Of ISHARES MSCI Eafe Index FD Trade Date 5/21/13 Theor. Settlement Date 5/24/13 Sold Through Sei Financial Services Co Paid \$1.60 Brokerage Paid \$0.06 Sec Fee Sold On The Otc Bulletin Board Taxable To Federal And State	2,520.34		-3,228.80	-708.46
06/06/2013	Sold 247.934 Units Of BNY Mellon S/T US Gov Secs-M Trade Date 6/5/13 Theor, Settlement Date 6/6/13 Taxable To Federal And State 247.934 Units At \$12.10	3,000.00		-3,049.59	-49.59
06/06/2013	Sold 307,456 Units Of BNY Mellon Intermediate Bd-M Trade Date 6/5/13 Theor. Settlement Date 6/6/13 Taxable To Federal And State 307,456 Units At \$13.01	4,000.00		-4,052.27	-52.27
Total sales and maturities	lurities	\$ 1,040,604.62	\$ 0.00	\$ -1,061,867.02	\$ -21,262.40



FORM 990-PF DIVIDEND	S AND	INTER	EST FROM	SEC	JRITIES	STATEMENT	1
SOURCE		GROSS	AMOUNT		PITAL GAINS DIVIDENDS	COLUMN (A	.)
MELLON MELLON MELLON	_	-	35,677. 759. 1.		0. 0. 0.	35,6 7	77. 59.
TOTAL TO FM 990-PF, PART I, I	N 4 =	-	36,437.		0.	36,4	37.
FORM 990-PF	ОТ	HER II	NCOME			STATEMENT	2
DESCRIPTION		1	(A) REVENUE PER BOOKS	5	(B) NET INVEST- MENT INCOME	(C) ADJUSTE NET INCO	
MISCELLANEOUS				37.	37.		
TOTAL TO FORM 990-PF, PART I,	LINE	11		37.	37.		
FORM 990-PF	ACC	COUNTI	NG FEES			STATEMENT	3
DESCRIPTION	(A EXPEN PER B	ISES	(B) NET INVI MENT INC		(C) ADJUSTED NET INCOME	(D) CHARITA PURPOS	BLE
	EXPEN PER B	ISES	NET INVI		ADJUSTED NET INCOME	CHARITA	BLE
	EXPEN PER B	ISES BOOKS	MENT INC	COME	ADJUSTED NET INCOME	CHARITA	BLE ES
ACCOUNTING FEES TO FORM 990-PF, PG 1, LN 16B	EXPEN PER B	SES BOOKS 2,500.	MENT INC	,500.	ADJUSTED NET INCOME	CHARITA	BLE ES
-	EXPEN PER B	ROFES	MENT INC	.500. .500. .500.	ADJUSTED NET INCOME	CHARITA PURPOS STATEMENT (D) CHARITA	BLE ES 0. 0.
ACCOUNTING FEES TO FORM 990-PF, PG 1, LN 16B FORM 990-PF	EXPEN PER B	ROFES	NET INVI	.500. .500. .500.	ADJUSTED NET INCOME (C) ADJUSTED NET INCOME	CHARITA PURPOS STATEMENT (D) CHARITA	BLE ES 0. 0.

FORM 990-PF	OTHER EXPENSES			STATEMENT		
DESCRIPTION	(A) EXPENSES PER BOOKS	250. 0.		(C) ADJUSTED NET INCOM		
MISCELLANEOUS STATE FILING FEE BOARD EXPENSES AMORTIZATION	192. 250. 500. 2,000.					
TO FORM 990-PF, PG 1, LN 23	2,942.	2,	,442.		50	0.
FORM 990-PF	OTHER INV	ESTMENTS			STATEMENT	-6
DESCRIPTION		LUATION ETHOD	вос	OK VALUE	FAIR MARKET VALUE	
MELLON #3AR0	_	COST 1,865,218.		2,104,015.		
TOTAL TO FORM 990-PF, PART II,	, LINE 13		1	.,865,218.	2,104,01	5.
FORM 990-PF DEPRECIATION OF	ASSETS NOT	HELD FOR	R INVI	ESTMENT	STATEMENT	7
DESCRIPTION		ST OR R BASIS		MULATED RECIATION	BOOK VALUE	
WEBSITE DEVELOPMENT	.	6,000.		3,000.	000. 3,00	
TOTAL TO FM 990-PF, PART II, I	 LN 14	6,000.	·	3,000.	3,00	0.

FORM 990-PF PART VIII TRUSTE		STATEMENT 8		
NAME AND ADDRESS	TITLE AND AVRG HRS/WK		EMPLOYEE BEN PLAN CONTRIB	EXPENSE
THEODORE E. MARKS 108 LEXINGTON AVE. BUFFALO, NY 14222	TRUSTEE 0.50	0.	0.	0.
JOSHUA R. MARKS 679 DEGRAW STREET, APT. 1 BROOKLYN, NY 11217	TRUSTEE 0.50	0.	0.	0.
SALLY MARKS 6 LACOSTA WAY PALM BEACH, FL 33480	TRUSTEE 0.50	0.	0.	0.
WENDELYN W. DUQUETTE RR#1, 1890 GREG HILL RD WATERBURY, CT	TRUSTEE 0.50	0.	0.	0.
HEATHER A. MARKS 107 GOLDBROOK CIRCLE STOWE, VT 05672	TRUSTEE 0.50	0.	0.	0.
TOTALS INCLUDED ON 990-PF,	PAGE 6, PART VIII	0.	0.	0.
FORM 990-PF	PART XV - LINE 1A T OF FOUNDATION MANAGE	ERS	STATI	EMENT 9

NAME OF MANAGER

THEODORE E. MARKS JOSHUA R. MARKS WENDELYN W. DUQUETTE HEATHER A. MARKS

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990-PF

Description Dag	<u>-</u>	• •	7 -
1WTBSITE DEVELOPMENTO10112 36M 43 6,000. * TOTAL 990-PF PG 1 DEPR & AMORT OBER & AMORT OBER AMORT	Current Year Deduction	2,000.	Ization Deduction
1WTBSITE DEVELOPMENTO10112 36M 43 6,000. * TOTAL 990-PF PG 1 DEPR & AMORT OBER & AMORT OBER AMORT	Current Sec 179	ó	mercial Revita
1WTBSITE DEVELOPMENTO10112 36M 43 6,000. * TOTAL 990-PF PG 1 DEPR & AMORT OBER & AMORT OBER AMORT	Accumulated Depreciation	1,000.	vage, Bonus, Com
1WTBSITE DEVELOPMENTO10112 36M 43 6,000. * TOTAL 990-PF PG 1 DEPR & AMORT OBER & AMORT OBER AMORT	Basis For Depreciation	6,000.	, Section 179, Salv
DEPR & AMORT Description Adjuind Adjuind Method Life No CostOf Bass Adjuind Adjuind Ad	Reduction in Basis	o	OH.*
1WEBSITE DEVELOPMENTO10112 36M 43 * TOTAL 990-PF PG 1 DEPR & AMORT OBEPR (A) A COUNTY OF TO	Bus % Excl		
DEPR & AMORT DEPR & AMORT DEPR & AMORT	Unadjusted Cost Or Basis	6,000.	Asset disposed
1 MEBSITE DEVELOPMENTO10112 36N PEPR & AMORT	Line	£ £	ê
1 Description Acquired Method 1 WEBSITE DEVELOPMENTO1 0112 * TOTAL 990-PF PG 1 DEPR & AMORT	Life	98 98	
WEBSITE POTAL DEPR & A	Method		
WEBSITE POTAL DEPR & A	Date Acquired	0 1 0 1 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	
Asset No 402 228 102 05-01-12	Description		
	Asset No		228102 05-01-12