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

2012

Open to public inspection

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

For calendar year 2012 or tax year beginning JUL 1, 2012, and ending JUN 30, 2013

Name of foundation
THE MARKS FAMILY FOUNDATION

Number and street (or P O box number if mail is not delivered to street address)
72 HALLAM ROAD

City or town, state, and ZIP code
BUFFALO, NY 14216

Room/suite

A Employer identification number
16-1385716

B Telephone number
716-877-1618

C If exemption application is pending, check here ☐

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

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

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

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

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

I Fair market value of all assets at end of year (from Part II, col (c), line 16)
\$ 2,109,094. (Part I, column (d) must be on cash basis)

J Accounting method: ☒ Cash ☐ Accrual
☐ Other (specify)

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))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc., received			N/A	
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	36,437.	36,437.		STATEMENT 1
	5a Gross rents				
	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				
Operating and Administrative Expenses	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income	37.	37.		STATEMENT 2
	12 Total. Add lines 1 through 11	15,953.	36,474.		
	13 Compensation of officers, directors, trustees, etc.	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees	2,500.	2,500.		0.
	c Other professional fees	23,778.	23,778.		0.
	17 Interest				
	18 Taxes				
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
22 Printing and publications					
23 Other expenses	2,942.	2,442.		500.	
24 Total operating and administrative expenses. Add lines 13 through 23	29,220.	28,720.		500.	
25 Contributions, gifts, grants paid	99,989.			99,989.	
26 Total expenses and disbursements. Add lines 24 and 25	129,209.	28,720.		100,489.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	<113,256.>				
b Net investment income (if negative, enter -0-)		7,754.			
c Adjusted net income (if negative, enter -0-)			N/A		

Part II Balance Sheets

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

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	10,510.	2,079.	2,079.
	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			
	7 Other notes and loans receivable ▶			
	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			
	b Investments - corporate stock			
	c Investments - corporate bonds			
11 Investments - land, buildings, and equipment basis ▶				
Less: accumulated depreciation ▶				
12 Investments - mortgage loans				
13 Investments - other STMT 6	1,968,043.	1,865,218.	2,104,015.	
14 Land, buildings, and equipment basis ▶ 6,000.				
Less: accumulated depreciation STMT 7 ▶ 3,000.	5,000.	3,000.	3,000.	
15 Other assets (describe ▶)				
16 Total assets (to be completed by all filers)	1,983,553.	1,870,297.	2,109,094.	
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐			
	and complete lines 24 through 26 and lines 30 and 31.			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒			
	and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	0.	0.	
28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.		
29 Retained earnings, accumulated income, endowment, or other funds	1,983,553.	1,870,297.		
30 Total net assets or fund balances	1,983,553.	1,870,297.		
31 Total liabilities and net assets/fund balances	1,983,553.	1,870,297.		

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	1,983,553.
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 and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a MELLON INVESTMENTS	P	VARIOUS	VARIOUS
b BNY MELLON INTERMEDIATE BD-M	P	VARIOUS	12/17/12
c BNY MELLON BOND FUND - M	P	VARIOUS	12/17/12
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 1,040,605.		1,061,867.	<21,262.>
b 58.			58.
c 683.			683.
d			
e			

(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
a			<21,262.>
b			58.
c			683.
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 <20,521.>
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). If (loss), enter -0- in Part I, line 8	If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8 3 N/A

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see the instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2011	97,811.	2,039,516.	.047958
2010	93,755.	2,020,591.	.046400
2009	97,879.	1,852,429.	.052838
2008	126,543.	2,040,382.	.062019
2007	42,125.	2,505,155.	.016815

2 Total of line 1, column (d)	2	.226030
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	.045206
4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 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.
8 Enter qualifying distributions from Part XII, line 4	8	100,489.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions.

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

1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)		1	78.
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b			
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).		2	0.
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		3	78.
3 Add lines 1 and 2		4	0.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		5	78.
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-			
6 Credits/Payments:			
a 2012 estimated tax payments and 2011 overpayment credited to 2012	6a 2,541.	7	2,541.
b Exempt foreign organizations - tax withheld at source	6b	8	
c Tax paid with application for extension of time to file (Form 8868)	6c	9	
d Backup withholding erroneously withheld	6d	10	2,463.
7 Total credits and payments. Add lines 6a through 6d		11	0.
8 Enter any penalty for underpayment of estimated tax. Check here ☐ if Form 2220 is attached			
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed			
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid			
11 Enter the amount of line 10 to be: Credited to 2013 estimated tax ☒ 2,463. Refunded ☒			

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? 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.		X
1c 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.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a 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?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		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? If "Yes," complete Part II, col. (c), and Part XV.	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☒ NY		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

N/A

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>DEBBIE KULL</u> Telephone no. ► <u>716-877-1618</u> Located at ► <u>72 HALLAM, BUFFALO, NY</u> ZIP+4 ► <u>14216</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	15	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, securities, or other financial account in a foreign country? See the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country ►	16	Yes	No X

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

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

		Yes	No
1a	During the year did the foundation (either directly or indirectly):		
(1)	Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No		
(2)	Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No		
(3)	Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No		
(4)	Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No		
(5)	Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No		
(6)	Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.) ☐ Yes ☒ No		
b	If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see instructions)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
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 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 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2012? ☐ Yes ☒ No If "Yes," list the years ►		
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.)	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. ►		
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No		
b	If "Yes," did it have excess business holdings in 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
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 2012?		4b X

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

5a During the year did the foundation pay or incur any amount to:

- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No
- (3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? ☐ 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)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

▶ ☐

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☐ No

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

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

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

6b

X

If "Yes" to 6b, file Form 8870.

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction?

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.

(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
SEE STATEMENT 8		0.	0.	0.

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

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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 number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

	Expenses
1 THIS FOUNDATION IS SOLELY ENGAGED IN CHARITABLE GIVING AND DOES NOT CONDUCT ANY DIRECT CHARITABLE ACTIVITIES OR MAKE PROGRAM RELATED INVESTMENTS	0.
2	
3	
4	

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
1 SAME AS PART IX-A	0.
2	
3 All other program-related investments. See instructions.	
Total. Add lines 1 through 3	0.

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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	2,025,065.
b	Average of monthly cash balances	1b	6,295.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	2,031,360.
e	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.

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	100,045.
2a	Tax on investment income for 2012 from Part VI, line 5	2a	78.
b	Income tax for 2012. (This does not include the tax from Part VI.)	2b	
c	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.

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	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 qualifies for the section 4940(e) reduction of tax in those years.

Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2011	(c) 2011	(d) 2012
1 Distributable amount for 2012 from Part XI, line 7				99,967.
2 Undistributed income, if any, as of the end of 2012				
a Enter amount for 2011 only			99,962.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2012:				
a From 2007				
b From 2008				
c From 2009				
d From 2010				
e From 2011				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2012 from Part XII, line 4: ► \$ 100,489.				
a Applied to 2011, but not more than line 2a			99,962.	
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 2012 distributable amount				527.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2012 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		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 2011. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2012. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2013				99,440.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2007 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2013. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2008				
b Excess from 2009				
c Excess from 2010				
d Excess from 2011				
e Excess from 2012				

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				
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	500.
BIG ORBIT GALLERY	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
BOSTON UNIVERSITY	NONE	PUBLIC	GENERAL CHARITABLE USE	500.
Total	SEE CONTINUATION SHEET(S)			99,989.
b Approved for future payment				
NONE				
Total				0.

Part XVII.

- | | |
|------------|-----------|
| Yes | No |
|------------|-----------|

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

- ☐ Yes ☒ No

- b** If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship
--------------------------	--------------------------	---------------------------------

☒ Yes ☐ No

Signature of officer or trustee

Date _____

Title

Phone no. 716-847-2651

Depreciation and Amortization 990-PF
(Including Information on Listed Property)

▶ See separate instructions.

▶ Attach to your tax return.

OMB No 1545-0172

2012

Attachment
Sequence No 179

Name(s) shown on return

Business or activity to which this form relates

Identifying number

THE MARKS FAMILY FOUNDATION

FORM 990-PF PAGE 1

16-1385716

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.

1	Maximum amount (see instructions)	1	500,000.
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation	3	2,000,000.
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	
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	13	

Note: Do not use Part II or Part III below for listed property. Instead, use Part V

Part II 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 year	14	
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	

Part III MACRS Depreciation (Do not include listed property.) (See instructions.)

Section A

17	MACRS deductions for assets placed in service in tax years beginning before 2012	17	
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

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only - see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property	/		27.5 yrs.	MM	S/L	
	/		27.5 yrs.	MM	S/L	
i Nonresidential real property	/		39 yrs	MM	S/L	
	/			MM	S/L	

Section C - Assets Placed in Service During 2012 Tax Year Using the Alternative Depreciation System

20a Class life					S/L	
b 12-year			12 yrs		S/L	
c 40-year	/		40 yrs	MM	S/L	

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. Enter here and on the appropriate lines of your return. Partnerships and S corporations - see instr	22	0.
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	

Part V Listed Property (Include automobiles, certain other vehicles, certain computers, and property used for entertainment, recreation, or amusement.)

Note: For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete only 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable.

Section A - Depreciation and Other Information (Caution: See the instructions for limits for passenger automobiles.)

24a Do you have evidence to support the business/investment use claimed? ☐ Yes ☐ No **24b** If "Yes," is the evidence written? ☐ Yes ☐ No

(a) Type of property (list vehicles first)	(b) Date placed in service	(c) Business/ investment use percentage	(d) Cost or other basis	(e) Basis for depreciation (business/investment use only)	(f) Recovery period	(g) Method/ Convention	(h) Depreciation deduction	(i) Elected section 179 cost
--	-------------------------------------	--	-------------------------------	--	---------------------------	------------------------------	----------------------------------	---------------------------------------

25 Special depreciation allowance for qualified listed property placed in service during the tax year and used more than 50% in a qualified business use

25

26 Property used more than 50% in a qualified business use

		%						
		%						
		%						

27 Property used 50% or less in a qualified business use.

		%			S/L -		
		%			S/L -		
		%			S/L -		

28 Add amounts in column (h), lines 25 through 27. Enter here and on line 21, page 1

28

29 Add amounts in column (i), line 26. Enter here and on line 7, page 1

29

Section B - Information on Use of Vehicles

Complete this section for vehicles used by a sole proprietor, partner, or other "more than 5% owner," or related person.

If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles.

	(a) Vehicle	(b) Vehicle	(c) Vehicle	(d) Vehicle	(e) Vehicle	(f) Vehicle
30 Total business/investment miles driven during the year (do not include commuting miles)						
31 Total commuting miles driven during the year						
32 Total other personal (noncommuting) miles driven						
33 Total miles driven during the year. Add lines 30 through 32						
34 Was the vehicle available for personal use during off-duty hours?	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No
35 Was the vehicle used primarily by a more than 5% owner or related person?						
36 Is another vehicle available for personal use?						

Section C - Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who are not more than 5% owners or related persons.

37 Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees?	Yes	No
38 Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners		
39 Do you treat all use of vehicles by employees as personal use?		
40 Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received?		
41 Do you meet the requirements concerning qualified automobile demonstration use?		

Note: If your answer to 37, 38, 39, 40, or 41 is "Yes," do not complete Section B for the covered vehicles.

Part VI Amortization

(a) Description of costs	(b) Date amortization begins	(c) Amortizable amount	(d) Code section	(e) Amortization period or percentage	(f) Amortization for this year
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42 Amortization of costs that begins during your 2012 tax year:

--	--	--	--	--	--

43 Amortization of costs that began before your 2012 tax year

43

2,000.

44 Total. Add amounts in column (f). See the instructions for where to report

44

2,000.

Part XV Supplementary Information**3 Grants and Contributions Paid During the Year (Continuation)**

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
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				98,289.

Part XV Supplementary Information**3 Grants and Contributions Paid During the Year (Continuation)**

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
CITY HARVEST	NONE	PUBLIC	GENERAL CHARITABLE USE	85.
COMMUNITY FOUNDATION FOR GREATER BUFFALO	NONE	PUBLIC	GENERAL CHARITABLE USE	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	50.
GENESEO FOUNDATION	NONE	PUBLIC	GENERAL CHARITABLE USE	500.
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****3 Grants and Contributions Paid During the Year (Continuation)**

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
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.
LITERACY NEW YORK - BUFFALO NIAGARA	NONE	PUBLIC	GENERAL CHARITABLE USE	5,000.
MOUNTS BOTANICAL	NONE	PUBLIC	GENERAL CHARITABLE USE	250.
NAMI LOS ANGELES COUNTY WALK	NONE	PUBLIC	GENERAL CHARITABLE USE	50.
NATIONAL RESOURCE DEFENSE	NONE	PUBLIC	GENERAL CHARITABLE USE	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**3 Grants and Contributions Paid During the Year (Continuation)**

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
NEW YORK PUBLIC RADIO	NONE	PUBLIC	GENERAL CHARITABLE USE	50.
NICHOLS SCHOOL	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
NORTH SHORE ANIMAL LEAGUE	NONE	PUBLIC	GENERAL CHARITABLE USE	50.
PARK SCHOOL OF BUFFALO	NONE	PUBLIC	GENERAL CHARITABLE USE	8,433.
PARSONS THE NEW SCHOOL FOR DESIGN	NONE	PUBLIC	GENERAL CHARITABLE USE	250.
PARTNERS IN HEALTH	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
PLANNED PARENTHOOD OF NYC	NONE	PUBLIC	GENERAL CHARITABLE USE	100.
PROSPECT PARK ALLIANCE	NONE	PUBLIC	GENERAL CHARITABLE USE	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 Information**3 Grants and Contributions Paid During the Year (Continuation)**

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
SOCIETY OF THE FOUR ARTS	NONE	PUBLIC	GENERAL CHARITABLE USE	250.
TANG MUSEUM	NONE	PUBLIC	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.
Total from continuation sheets				

Activity detail

Date	Transaction description	Principal cash	Income cash	Tax cost
07/01/2012	Beginning balances	\$ 5,435.95	\$ 3,312.87	\$ 1,968,043.14

Receipts

Sales and maturities

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



Receipts

Sales and maturities continued

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

Receipts

Sales and maturities
continued

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 40 Shares At \$63.05	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		\$ 1,040,504.52	\$ 0.00	\$ -1,061,867.02	\$ -21,262.40



FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES		STATEMENT	1
SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT	
MELLON	35,677.	0.	35,677.	
MELLON	759.	0.	759.	
MELLON	1.	0.	1.	
TOTAL TO FM 990-PF, PART I, LN 4	36,437.	0.	36,437.	

FORM 990-PF	OTHER INCOME		STATEMENT	2
DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	
MISCELLANEOUS	37.	37.		
TOTAL TO FORM 990-PF, PART I, LINE 11	37.	37.		

FORM 990-PF	ACCOUNTING FEES		STATEMENT	3
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	2,500.	2,500.		0.
TO FORM 990-PF, PG 1, LN 16B	2,500.	2,500.		0.

FORM 990-PF	OTHER PROFESSIONAL FEES		STATEMENT	4
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT FEES	23,778.	23,778.		0.
TO FORM 990-PF, PG 1, LN 16C	23,778.	23,778.		0.

FORM 990-PF	OTHER EXPENSES			STATEMENT	5
DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES	
MISCELLANEOUS	192.	192.		0.	
STATE FILING FEE	250.	250.		0.	
BOARD EXPENSES	500.	0.		500.	
AMORTIZATION	2,000.	2,000.		0.	
TO FORM 990-PF, PG 1, LN 23	2,942.	2,442.		500.	

FORM 990-PF	OTHER INVESTMENTS		STATEMENT	6
DESCRIPTION	VALUATION METHOD	BOOK 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.	2,104,015.	

FORM 990-PF	DEPRECIATION OF ASSETS NOT HELD FOR INVESTMENT			STATEMENT	7
DESCRIPTION	COST OR OTHER BASIS	ACCUMULATED DEPRECIATION	BOOK VALUE		
WEBSITE DEVELOPMENT	6,000.	3,000.	3,000.		
TOTAL TO FM 990-PF, PART II, LN 14	6,000.	3,000.	3,000.		

FORM 990-PF	PART VIII - LIST OF OFFICERS, DIRECTORS TRUSTEES AND FOUNDATION MANAGERS	STATEMENT	8
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NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN- SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
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 LIST OF FOUNDATION MANAGERS	STATEMENT	9
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NAME OF MANAGER

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

2012 DEPRECIATION AND AMORTIZATION REPORT

FORM 990-PF PAGE 1

990-PF

Asset No	Description	Date Acquired	Method	Life	Line No	Unadjusted Cost Or Basis	Bus % Excl	* Reduction In Basis	Basis For Depreciation	Accumulated Depreciation	Current Sec 179	Current Year Deduction
1	WEBSITE DEVELOPMENT	10/11/12		36M	43	6,000.			6,000.	1,000.		2,000.
	* TOTAL 990-PF PG 1 DEPR & AMORT					6,000.		0.	6,000.	1,000.	0.	2,000.