



# Consent to Appointment as Custodian of an *Inter Vivos* Gift of Stock for a Minor Child

State of: \_\_\_\_\_ )  
County of: \_\_\_\_\_ ) ss.

(or \_\_\_\_\_ Judicial District)

I, \_\_\_\_\_ (*custodian's full legal name*), being sworn, certify and affirm that I have been nominated by \_\_\_\_\_ (*donor's full legal name*) to act as custodian for an *inter vivos* gift of stock in Cook Inlet Region, Inc. (CIRI) to \_\_\_\_\_ (*recipient's full legal name*), a minor under the age of 18 years. If this gift is approved, I understand that the minor named above will become the owner of \_\_\_\_\_ (*total number of shares*) share(s) of stock in CIRI.

I understand that the Alaska Native Claims Settlement Act (ANCSA) defines "Native" as a citizen of the United States who is a person of one-fourth degree or more of Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or a combination thereof. I also understand that the ANCSA Amendments of 1987 define "descendant of a Native" as: 1) a lineal descendant of a Native or of an individual who would have been a Native if such individual were alive on December 18, 1971; or 2) an adoptee of a Native or of a descendant of a Native whose adoption (A) occurred prior to his or her age of majority, and (B) is recognized at law or in equity. I hereby affirm my belief that the minor named above is a Native or descendant of a Native, as defined by the ANCSA and the ANCSA Amendments of 1987.

In accordance with the Alaska Uniform Transfers to Minors Act (AUTMA), I also affirm that I am duly qualified to act as custodian in that I am (please check the category which is applicable to you):

- the donor of the gift of stock.
- another adult appointed by the donor  
*If you are not the donor, what is your relationship to the minor?*  
\_\_\_\_\_

I further affirm that I have not transferred or promised anything of value in order that the minor would obtain the share(s) of stock. I understand that this custodianship will end when the minor reaches the age of majority. I understand that the stock is currently restricted by provisions contained in ANCSA and cannot be sold or used as collateral for a loan and cannot be otherwise traded except in limited circumstances permitted by ANCSA. I understand that there may be taxes due as a result of receiving or owning the share(s), and I acknowledge that CIRI is not responsible for payment of any such taxes.

I hereby accept appointment as custodian of the gift of stock in CIRI described above on behalf of the minor named above, and I hereby accept the gift of stock on behalf of the minor. I understand that, under AUTMA, I am not entitled to receive compensation for custodian services except, upon application to and approval by the Superior Court, for unusual and extraordinary services.

I swear that I will manage the minor's stock and any monies derived as a result of the minor's stock ownership in conformity with the provisions of the Alaska Statutes governing such custodianships, including those provisions related to care of custodial property and recordkeeping requirements, and in a manner directly contributing to the benefit of the minor. I agree to provide written authorization to CIRI of any changes which may affect the minor's CIRI stock records, such as address and name changes.



# Consent to Appointment as Custodian of an Inter Vivos Gift of Stock for a Minor Child

I acknowledge having received, read, and understood Alaska Statutes 13.46.085 and 13.46.110, which are sections of AUTMA that address the appointment, powers, and duties of custodians for minors.

**(Sign this form in the presence of a Notary Public)**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
*(Custodian's full legal name)*

Subscribed and sworn to me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary's signature: \_\_\_\_\_

Notary Public in and for: \_\_\_\_\_

My commission expires: \_\_\_\_\_

(SEAL)

**Please answer the following questions:**

Minor's Name: \_\_\_\_\_

Minor's address: \_\_\_\_\_  
Street/Post Office

\_\_\_\_\_ City State Zip Code

Telephone No.: (\_\_\_\_\_) \_\_\_\_\_ Social Security No.: \_\_\_\_\_

Birthdate: \_\_\_\_\_ Sex: \_\_\_\_\_ Is Minor currently a CIRI shareholder? Yes \_\_\_\_\_ No \_\_\_\_\_

Is Minor a shareholder in any other Native regional corporation(s)? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, name(s) of corporation(s): \_\_\_\_\_ Degree of Native Blood: \_\_\_\_\_%

Custodian's name: \_\_\_\_\_

Custodian's address: \_\_\_\_\_ Custodian's Telephone No.: \_\_\_\_\_  
Street/Post Office

\_\_\_\_\_ City State Zip Code Is Custodian a CIRI shareholder? Yes \_\_\_\_\_ No \_\_\_\_\_

Custodian's email address: \_\_\_\_\_ (Your email address will remain confidential.)

Would you like for your ward to receive their CIRI newsletters by email? Yes \_\_\_\_\_ No \_\_\_\_\_ **(If yes and your ward is currently a CIRI shareholder, he/she will receive interactive newsletters instead of hard copies. If your ward is not yet a shareholder, after the stock transfer your ward will begin to receive newsletters based on the above selection.)**

**All further mail from the Shareholder Relations Department will be sent to the custodian's address you have indicated on this affidavit, and can only be changed upon written notice.**

**§ 13.46.085. Native corporations; custodians**

- (a) The stock or membership in a corporation organized under the law of this state under the Alaska Native Claims Settlement Act (43 U.S.C. §§ 1601 - 1642) that a minor is entitled to receive under that Act shall be held by a custodian.
- (b) A person making a transfer of stock, whether by gift, devise, or other method, may nominate a custodian. In the absence of a nomination, the custodian shall be determined under the order of priority set out below. The appointment becomes effective upon the corporation's receipt of the custodian's written consent to the appointment. The order of priority is:
- (1) the legal guardian, if any, of the minor;
  - (2) a parent, if any, of the minor, as selected by the parents;
  - (3) an adult member of the minor's family; in this paragraph, "member of the minor's family" has the meaning given in AS 13.46.990, and also includes members of a family with whom the minor has customarily lived.
- (c) For good cause, a district court or the superior court may vary the order of priority set out in (b) of this section or appoint another suitable person as custodian.
- (d) The custodianship is governed by this chapter, as modified by the following:
- (1) Repealed.
  - (2) under AS 13.46.150, a third person is responsible for determining whether stock is inalienable under the Act;
  - (3) the custodian shall give an appropriate receipt for property received for the minor;
  - (4) the custodian may not alienate inalienable property except within the limits provided by law;
  - (5) the form of registration or title shall be "as custodian for \_\_\_\_\_ (name of minor) under the Alaska Native Claims Settlement Act";
  - (6) a custodian may not receive compensation except, upon application to and approval by the superior court, for unusual and extraordinary services;
  - (7) custodial property includes securities, money, and other real and personal property under supervision as a consequence of the Act.
- (e) Notwithstanding AS 13.46.190, the stock shall be transferred to the minor when the minor reaches 18 years of age, or to the minor's heirs if the minor dies before reaching 18 years of age.
- (f) In this section,
- (1) "Act" means the Alaska Native Claims Settlement Act (43 U.S.C. §§ 1601 - 1642);
  - (2) "minor" means an individual who is less than 18 years of age;
  - (3) "stock" means the stock or membership in a corporation that is organized under the law of this state under the Act and that a minor is entitled to receive under the Act, whether by gift, devise, or other method; "stock" includes inchoate rights to stock.

**§ 13.46.110. Care of custodial property**

- (a) A custodian shall
- (1) take control of custodial property;
  - (2) register or record title to custodial property if appropriate; and
  - (3) collect, hold, manage, invest, and reinvest custodial property.
- (b) In dealing with custodial property, a custodian shall observe the standard of care that would be observed by a prudent person dealing with property of another and is not limited by any other statute, except AS 13.90.010, restricting investments by fiduciaries. If a custodian has a special skill or expertise or is named custodian on the basis of representations of a special skill or expertise, the custodian shall use that skill or expertise. However, a custodian, in the custodian's discretion and without liability to the minor or the minor's estate, may retain custodial property received from a transferor.
- (c) A custodian may invest in or pay premiums on life insurance or endowment policies on
- (1) the life of the minor only if the minor or the minor's estate is the sole beneficiary; or
  - (2) the life of another person in whom the minor has an insurable interest only to the extent that the minor, the minor's estate, or the custodian in the capacity of custodian, is the irrevocable beneficiary.
- (d) A custodian at all times shall keep custodial property separate and distinct from all other property in a manner sufficient to identify it clearly as custodial property of the minor. Custodial property consisting of an undivided interest is so identified if the minor's interest is held as a tenant in common and is fixed. Custodial property subject to recordation is so identified if it is recorded, and custodial property subject to registration is so identified if it is either registered, or held in an account designated, in the name of the custodian, followed in substance by the words: "as a custodian for \_\_\_\_\_ (name of minor) under the Alaska Uniform Transfers to Minors Act."
- (e) A custodian shall keep records of all transactions with respect to custodial property, including information necessary for the preparation of the minor's tax returns, and shall make them available for inspection at reasonable intervals by a parent or legal representative of the minor or by the minor if the minor has attained the age of 14 years.