

Inter Vivos Application



For Shareholder (Gift of Settlement Common Stock)

Important:

- Ⓞ This inter vivos gift of stock is made under the provisions of 43 U.S. Code § 1606(h)(1)(C)(iii).
- Ⓞ The gift transfer of Koniag stock is irrevocable.
- Ⓞ Fractional shares cannot be divided.
- Ⓞ Any Koniag Shareholder, 18 years of age or older, may gift his or her stock to his or her Alaska Native Descendant, who is defined as a: child, grandchild, great grandchild, niece, nephew, brother or sister. Brother and sister include half-brothers and half-sisters, but does not include stepbrothers or stepsisters. Adopted Descendants may receive a gift of stock if their adoption occurred before they reached the age of 18 and it is recognized at law or in equity.
- Ⓞ Under Alaska law, children under 18 years of age who receive stock in a Native Corporation must have their stock issued to a custodian. The person giving the stock may designate the custodian if they desire. Otherwise, the custodian will be determined according to the priority established by Alaska Law.
- Ⓞ See instructions for more information.



SHAREHOLDER INFORMATION

SHAREHOLDER INFORMATION		(Person Gifting Stock)
Name: First Name / Middle Initial / Last Name		
Date of Birth: (DD/MM/YYYY)	Social Security Number: (XXX-XX-XXXX)	
Total Number of Shares I Own: _____ shares of Class A Stock _____ shares of Class B Stock _____ shares of Class C Stock		
Total Number of Shares I am Gifting: _____ shares of Class A Stock _____ shares of Class B Stock _____ shares of Class C Stock		



RECIPIENT(S) INFORMATION

I hereby gift my shares of stock in KONIAG as follows: (Fractional shares cannot be divided)

1) RECIPIENT INFORMATION		(Person Receiving Stock)
Name: First Name / Middle Initial / Last Name		Date of Birth: (DD/MM/YYYY)
Mailing Address: City State Zip Code		Phone:
Number and Class of Stock I am gifting to this Recipient: (Fractional shares cannot be divided) _____ shares of Class A Stock _____ shares of Class B Stock _____ shares of Class C Stock	My Relationship to this Recipient (select one) ___ Child ___ Niece/Nephew ___ Grandchild ___ Sister/Brother ___ Great-Grandchild ___ Half-Sister/Half-Brother	
SKIP IF OVER 18 If the recipient listed is a minor, name the following person as the custodian until the minor reaches 18 years of age.	Custodian Name & Address:	

INITIALS _____



RECIPIENT(S) INFORMATION - Continued

2) RECIPIENT INFORMATION		(Person Receiving Stock)
Name: First Name / Middle Initial / Last Name	Date of Birth: (DD/MM/YYYY)	
Mailing Address: City State Zip Code	Phone:	
Number and Class of Stock I am gifting to this Recipient: (Fractional shares cannot be divided) _____ shares of Class A Stock _____ shares of Class B Stock _____ shares of Class C Stock	My Relationship to this Recipient (select one) ___ Child ___ Grandchild ___ Great-Grandchild ___ Niece/Nephew ___ Sister/Brother ___ Half-Sister/Half-Brother	
SKIP IF OVER 18 If the recipient listed is a minor, name the following personas the custodian until the minor reaches 18 years of age.	Custodian Name & Address:	

3) RECIPIENT INFORMATION		(Person Receiving Stock)
Name: First Name / Middle Initial / Last Name	Date of Birth: (DD/MM/YYYY)	
Mailing Address: City State Zip Code	Phone:	
Number and Class of Stock I am gifting to this Recipient: (Fractional shares cannot be divided) _____ shares of Class A Stock _____ shares of Class B Stock _____ shares of Class C Stock	My Relationship to this Recipient (select one) ___ Child ___ Grandchild ___ Great-Grandchild ___ Niece/Nephew ___ Sister/Brother ___ Half-Sister/Half-Brother	
SKIP IF OVER 18 If the recipient listed is a minor, name the following personas the custodian until the minor reaches 18 years of age.	Custodian Name & Address:	

4) RECIPIENT INFORMATION		(Person Receiving Stock)
Name: First Name / Middle Initial / Last Name	Date of Birth: (DD/MM/YYYY)	
Mailing Address: City State Zip Code	Phone:	
Number and Class of Stock I am gifting to this Recipient: (Fractional shares cannot be divided) _____ shares of Class A Stock _____ shares of Class B Stock _____ shares of Class C Stock	My Relationship to this Recipient (select one) ___ Child ___ Grandchild ___ Great-Grandchild ___ Niece/Nephew ___ Sister/Brother ___ Half-Sister/Half-Brother	
SKIP IF OVER 18 If the recipient listed is a minor, name the following personas the custodian until the minor reaches 18 years of age.	Custodian Name & Address:	

() INITIAL HERE IF YOU HAVE ADDITIONAL RECIPIENT (S) ON A SEPARATE PAGE. ATTACH ADDITIONAL SHEET.

 INITIALS _____



SIGNATURE OF SHAREHOLDER GIFTING STOCK AND NOTARY PUBLIC

SHAREHOLDER GIFTING STOCK

I, _____, being first duly sworn, upon oath, do hereby depose and say:
(Shareholder Gifting Stock)

- Ⓞ I am making this Affidavit for the purposes of making an inter vivos gift of stock pursuant to the provisions of Section 7 (i) (i) (c) (iii) of the Alaska Native Claims Settlement Act.
- Ⓞ I understand that the Alaska Native Claims Settlement Act (43 U.S.C. 1606) permits a Shareholder to give a gift of shares to a person who is a Native or a Descendant of a Native and is the Shareholder’s child, grandchild, great-grandchild, niece, nephew, brother or sister.
- Ⓞ I attest that I am at least 18 years of age.
- Ⓞ I do hereby give, assign, transfer, convey and set over stock to the Descendant(s) I have named herein.
- Ⓞ I understand that if there are taxes owed as a result of this transfer, Koniag will not be responsible for payment, and that payment of any such taxes will be either my responsibility as donor or the recipient’s responsibility.
- Ⓞ I understand that my gift gives the recipient all authority to subsequently transfer these shares by will or gift; that I will no longer have voting rights for these shares; and that I will no longer receive dividends, distributions or other benefits related to the shares that I am gifting.
- Ⓞ I affirm that I have not received anything of value nor was I promised anything of value as compensation or payment for the stock I wish to transfer.
- Ⓞ I understand that the gift may only be made if the stock is not under custodianship, guardianship or a court order for divorce or child support.
- Ⓞ I understand that by signing this affidavit, I am swearing under oath to the best of my knowledge and belief that everything stated herein is true, and that I am acting of my own free will and am not under any undue pressure, influence, or duress.
- Ⓞ I understand that this gift transfer of Koniag stock is irrevocable.
- Ⓞ I understand that any certificated stock certificate(s) needed to make this stock transfer will be cancelled and a new uncertificated certificate number will be issued to represent the difference between the number of shares represented by the original certificate(s) and the number of shares transferred to the recipient.

I have read and understand the information provided in this Affidavit.

(Signature of Shareholder Gifting Stock)

DATED this _____ day of _____, _____.
(Day) (Month) (Year)

NOTARY

STATE OF _____)
) ss:
COUNTY/DISTRICT _____)

THIS IS TO CERTIFY that on this _____ day of _____, _____.
(Day) (Month) (Year)

before me, personally appeared _____
(Shareholder Gifting Stock)

to me known and known to me to be the identical individual described in and who executed the within and foregoing instrument, and acknowledged to me that he/she had executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and notary seal on the date and years last above written.

(Notary's Signature)
Notary Public in and for the State of _____
My Commission Expires: _____

Gift of Stock (Inter Vivos)

Instructions for Shareholder



Submit a *Gift of Stock* form by completing the following:

A Information Regarding Shareholder

- Print your full name.
- Enter your Shareholder ID, social security number (SSN), date of birth and current contact information.
- Enter the total number of shares next to the class of stock (Class "A", "B" or "C") that you currently own.
- Enter the total number of shares next to the class of stock (Class "A", "B" or "C") that you wish to gift.

B Information Regarding Recipient(s)

- Print the full name of the person to receive the gift of shares.
 - The recipient must be Alaska Native or a Descendant of an Alaska Native. Alaska Native Descendant is defined as a lineal Descendant of a Native (i.e., child, grandchild, great grandchild, etc.) or an adoptee of a Native or of a Descendant of a Native whose adoption occurred prior to his or her age of majority.
- Enter the date of birth and current contact information.
- Indicate if recipient is a minor (under 18 years of age).
 - If recipient is a minor, then print the name of the Custodian for the minor(s) or Guardian for the behavioral/emotionally disabled adult(s).
- Mark the relationship you have with the recipient.
 - The recipient must be your child, grandchild, great grandchild, niece, nephew, brother or sister.
- Enter the number of shares next to the class of stock (Class "A", "B" or "C") that you wish to gift to that recipient.
 - Use whole shares only. Shares cannot be broken down to less than 1 share and fractional shares will not be further divided.

C Affidavit: Shareholder Gifting Stock and Notary

- Read, sign and date (in presence of a Notary).
- Have the *Gift of Stock* form notarized by a Notary Official.

Additional Requirements:

- ONLY IF you are giving stock to your niece, nephew, brother or sister, submit a *copy of your (certified) Birth Certificate*.
- Each recipient must provide the following:
 - *Acceptance Form for Gift of Settlement Common Stock* (dated and signed in the presence of a notary),
 - *Shareholder Record Information Form*, and
 - *Copy of (certified) Birth Certificate(s)* to show proof of descendency from the Shareholder gifting the stock.

DELIVER OR MAIL FORM

Shareholder Records
3800 Centerpoint Drive, Ste 502
Anchorage, AK 99503
P: 907-561-2668 or toll free: 800-658-3818
F: 907-562-5258
E: shareholderrecords@koniag.com

Shareholder Records
194 Alimaq Drive
Kodiak, AK 99615
P: 907-486-2530 or toll free: 800-658-3818
F: 907-486-3325
E: shareholderrecords@koniag.com

Inter Vivos Application



For Recipient (Gift of Settlement Common Stock)

ACCEPTANCE OF GIFT OF SETTLEMENT COMMON STOCK

RECIPIENT RECEIVING STOCK

I, _____, being first duly sworn, upon oath, do hereby depose and say:
(Name of Recipient, or Custodian if a minor)

Ⓒ I am a: RECIPIENT CUSTODIAN of minor child: _____
(Full name of child)

and I accept the gift of Koniag shares, including all the rights and responsibilities of being a Shareholder of Koniag.

- Ⓒ I certify that I am (or, if I am the Custodian, the minor child Recipient is) a Descendant of a Native that is the child, grandchild, great-grandchild, niece, nephew, brother or sister of the Shareholder who is gifting Koniag stock to me.
- Ⓒ I have not (and, if I am the Custodian, neither I nor the minor child Recipient has) given or promised any consideration or anything of value in exchange for the making of this gift.
- Ⓒ If I am the Custodian, I consent to my appointment as Custodian for the minor Child Recipient, without compensation, and agree that I will not use any money or other benefit received by me on behalf of the Recipient for my own benefit, except as reimbursement for reasonable expenses actually incurred for the support, maintenance, education and benefit of the Recipient. I understand that in dealing with the custodial property, I must observe the standard of care that would be observed by a prudent person dealing with property of another, that custodial property must be kept separate and distinct from all other property in a manner sufficient to identify it clearly as custodial property of the minor, and that a custodian may not receive compensation except upon approval by the superior court for unusual and extraordinary services. I will comply with all provisions of the Alaska Uniform Transfers to Minors Act, AS 13.46. *et seq.*
- Ⓒ I understand that this gift transfer of Koniag stock is irrevocable and once transferred to me, I (or if I am the Custodian, the Recipient) will become a Koniag Shareholder, and acquire all the rights and responsibilities which result from being a Shareholder.

I have read and understand the information provided in this Affidavit.

I hereby acknowledge receipt of _____ shares of Koniag **Class A** stock as a gift.

I hereby acknowledge receipt of _____ shares of Koniag **Class B** stock as a gift.

I hereby acknowledge receipt of _____ shares of Koniag **Class C** stock as a gift.

from _____
(Shareholder Gifting Stock)

(Signature of Recipient Receiving Stock, or Custodian if a minor)

DATED this _____ day of _____, _____
(Day) (Month) (Year)

STATE OF _____)

) ss:

COUNTY/DISTRICT _____)

THIS IS TO CERTIFY that on this _____ day of _____, _____
(Day) (Month) (Year)

before me, personally appeared _____
(Name of Recipient, or Custodian if a minor)

to me known and known to me to be the identical individual described in and who executed the within and foregoing instrument and acknowledged to me that he/she had executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and notary seal on the date and years last above written.

(Notary's Signature)

Notary Public in and for the State of _____

My Commission Expires: _____

SHAREHOLDER RECORD INFORMATION FORM



RE: Accepting Gift of Settlement Common Stock

The following information is needed to complete your Koniag Shareholder Record. Please complete and return at your earliest convenience.

Recipient Full Legal Name: _____ Date of Birth: _____

Current Koniag Shareholder? Yes No Male Female SS#: _____ - _____ - _____

Address: _____

Email: _____ Phone No: (H) _____ (C) _____

Maiden Name: _____ Head of Household? Yes No

Copy of (certified) Birth Certificate(s) attached? Yes

INFORMATION FOR CUSTODIAN (Complete only if Recipient is under 18 years of age.)

Custodian's Full Legal Name: _____ Date of Birth: _____

Current Koniag Shareholder? Yes No Male Female SS#: _____ - _____ - _____

Address: _____

Email: _____ Phone No: (H) _____ (C) _____

Relationship to Recipient: _____ Legal Guardian _____ Parent _____ Adult Member of Recipient's Family

Consent to Appointment attached? Yes

Would you like to receive?

Automated Phone Message: Yes No Text Message: Yes No

I am a: (Check One) RECIPIENT CUSTODIAN (of a minor child)

of a gift of Koniag Settlement Common Stock.

I certify that I: (check all that apply)

Am not subject to withholding

Am subject to withholding with: IRS Child Support Services Other: _____

Signed: _____ Dated: _____



Gift of Stock (Inter Vivos)

Instructions for Recipient



Acceptance of Gift of Settlement Common Stock

- Print your full name.
- Indicate whether you are the *Recipient* or the *Custodian*.
- Indicate the number of shares and class of stock that you agree to receive.
- Read, sign and date (in presence of a Notary).
- If recipient is a minor, then provide Custodian's or Guardian's information.

Shareholder Record Information Form

- Print your full name.
- Indicate whether you are the *Recipient* or the *Custodian*.
 - If Custodian, enter name of minor receiving the shares.
- Provide social security number.
- Indicate whether you are/are not subject to backup withholding with a check mark.
- Read, sign and date.

Additional Document Requirements:

- Copy of certified birth certificate(s)* to show proof of descendancy from a voting Shareholder.
 - Copy of legal document* authorizing the change of name (marriage certificate, divorce decree, etc.), if current name is different from is the name on any of the birth certificate(s) submitted.
- Each recipient of Koniag stock must provide the following:
 - Acceptance: Gift of Settlement Common Stock* (date and sign in the presence of a notary),
 - Shareholder Record Information Form*,
 - Copy of (certified) Birth Certificate(s), and*
 - ONLY if under the age of 18, Consent to Appoint Custodian form.*

DELIVER OR MAIL FORM

Shareholder Records
3800 Centerpoint Drive, Ste 502
Anchorage, AK 99503

P: 907-561-2668 or toll free: 800-658-3818

F: 907-562-5258

E: shareholderrecords@koniag.com

Shareholder Records

194 Alimaq Drive
Kodiak, AK 99615

P: 907-486-2530 or toll free: 800-658-3818

F: 907-486-3325

E: shareholderrecords@koniag.com

APPOINTMENT OF CUSTODIAN FOR MINOR SHAREHOLDERS INFORMATION SHEET



Under Alaska law, children under 18 years of age who receive stock in a Native Corporation must have their stock held by a custodian. The person giving the stock may designate the custodian if they desire. Otherwise, the custodian will be determined according to the following priority established by Alaska law:

1. The legal guardian of the child, if any;
2. A parent of the child, as selected by the parents;
3. An adult member of the child's family, which includes parents, grandparents, brothers, sisters, uncles and aunts, whether of whole or half blood or through adoption, and may also include members of the family with whom the child has customarily resided.

The Koniag stock shall be issued in the name of the designated custodian, referencing "as custodian for the minor child." Voting status will apply if the child is a Native or Descendant of a Native. The custodian does retain the right to vote the stock. If the minor child is non-Native the stock will not retain voting status.

The custodian receives dividends and other distributions on behalf of the child. The duties of the custodian are detailed within the statute (attached to this page). Per Alaska Statute the custodian is allowed to spend as much of the dividends and distributions, if any, as the custodian considers necessary for the support, maintenance, education and benefit of the child. The remainder is to be held separately on behalf of the child. All money, if it is to be invested, must be placed in a separate account with a broker or an insured financial institution in the name of the custodian followed by the words "as custodian for [child's name] under the Alaska Uniform Transfer to Minors Act." The custodian must keep a record of all transactions regarding custodial property. If the custodian is a person other than a parent or legal representative of the child, the records must be made available at reasonable intervals to the parents or legal representative, or, if the minor is over 14 years of age, to the minor.

The custodian is entitled to reimbursement from the custodial property for expenses but is not entitled to any compensation unless specifically ordered by the court.

The custodianship will terminate when the minor child reaches age 18. At termination, the dividends, distributions and other property must be turned over to the child.

The custodian must complete, sign and file with Koniag a *Consent to Appointment as Custodian for ANCSA Stock* for each minor.

If you have any questions regarding custodianship, please contact Shareholder Services at 1-800-658-3818 or email shareholderrecords@koniag.com.

Alaska Uniform Transfers to Minors Act

(Excerpts from Alaska Statutes)

Sec. 13.46.085. Native corporations; custodians.

(a) The stock or membership in a corporation organized under the law of this state under 43 U.S.C. 1601 et seq. (Alaska Native Claims Settlement Act) 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, § 12 ch. 60 SLA 1992.]
- (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 43 U.S.C. 1601 et seq. (Alaska Native Claims Settlement Act);
- (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.

Sec. 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.

Consent to Appointment as Custodian for ANCSA Stock



I, _____ being first duly sworn under oath, depose and say:
(Custodian's Full Name)

1. Hereby consent to act as custodian for _____
(Minor's Full Name)

a minor under the age of 18, for any shares of Koniag stock pursuant to the Alaska Native Claims Settlement Act,

2. for whom custodianship is being created is: **(Check One)** Native, Descendant of a Native, Non-Native.

A Native is a citizen of the United States who is one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled to Metlakatla Indian Community) Eskimo, or Aleut blood, or any combination thereof. The term includes anyone who fits the above description, either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native Village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group. Descendant of a Native is defined 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 occurred prior to his or her majority and which is recognized at law or in equity.

3. I am the: **(Check One)**

- custodian designated by the grantor of the stock (attach copy of the court order appointing you as guardian),
- legal guardian of the minor child,
- parent,
- adult member of the minor child's family (attach explanation why parents are not able to serve as custodian).

4. I hereby consent to my appointment as custodian for the above-named minor child. I authorize Koniag to pay me on behalf of the minor child any funds, revenues, dividends or distributions payable to said minor pursuant to the Articles of Incorporation or Bylaws of the Corporation or applicable law, and to recognize me as the proxy for said minor in all corporate elections, to the extent said minor child is entitled to voting rights. I agree to apply any money or other benefit received by me on behalf of said minor for his or her support, maintenance, education and benefit, and to invest the remainder as would a prudent person.

5. I agree to serve as custodian without compensation and agree that I will not use any money or other benefit received by me on behalf of said minor child for my own benefit, except as reimbursement for reasonable expenses actually incurred for the support, maintenance, education and benefit of said minor child.

6. I agree to comply at all times with the Alaska Uniform Transfer to Minors Act, A.S. 13.46 et seq., as it applies to ANCSA Native Corporation Stock Consent.

(Custodian's Signature)

DATED this ____ day of _____, _____
(Day) (Month) (Year)

STATE OF _____)
) ss:
COUNTY/DISTRICT _____)

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public,

This _____ day of _____, _____.
(Day) (Month) (Year)

(Notary Signature)
Notary Public in and for the State of _____
My Commission Expires: _____