

Introduced: 2/8/88
 Referred: Health, Education &
 Social Services and Judiciary

1 IN THE HOUSE

BY KOPONEN AND ELLIS

2 HOUSE BILL NO. 438

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to statutory wills."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 13.11 is amended by adding a new section to Article 5
 9 to read:

10 Sec. 13.11.215. STATUTORY WILL FORMS. (a) The following is the
 11 form for the Alaska basic will:

12 Alaska Basic Will

13 NOTICE TO THE PERSON WHO SIGNS THIS WILL:

14 1. THIS STATUTORY WILL HAS SERIOUS LEGAL EFFECTS ON YOUR FAMILY
 15 AND PROPERTY. IF THERE IS ANYTHING IN THIS WILL THAT YOU DO NOT
 16 UNDERSTAND, YOU SHOULD CONSULT A LAWYER FOR AN EXPLANATION.

17 2. THIS WILL DOES NOT DISPOSE OF PROPERTY WHICH PASSES ON YOUR
 18 DEATH TO ANY PERSON BY OPERATION OF LAW OR BY CONTRACT. FOR EXAMPLE,
 19 THE WILL DOES NOT DISPOSE OF JOINT TENANCY ASSETS OR YOUR SPOUSE'S
 20 ELECTIVE SHARE, AND IT DOES NOT NORMALLY APPLY TO PROCEEDS OF LIFE
 21 INSURANCE ON YOUR LIFE OR YOUR RETIREMENT PLAN BENEFITS.

22 3. THIS WILL IS NOT DESIGNED TO REDUCE DEATH TAXES OR ANY OTHER
 23 TAXES. YOU SHOULD DISCUSS THE TAX RESULTS OF YOUR DECISIONS WITH A
 24 COMPETENT TAX ADVISOR.

25 4. YOU SHOULD MARK THROUGH ALL SECTIONS OR PARTS OF SECTIONS
 26 THAT YOU DO NOT COMPLETE. YOU MAY REVOKE THIS ALASKA STATUTORY WILL
 27 BY SIGNING A NEW WILL. YOU MAY AMEND THIS WILL BY CODICIL.

28 5. THIS WILL TREATS ADOPTED CHILDREN AS IF THEY ARE NATURAL
 29 CHILDREN.

1 6. IF YOU MARRY OR DIVORCE AFTER YOU SIGN THIS WILL, YOU SHOULD
2 MAKE AND SIGN A NEW WILL.

3 7. IF YOU HAVE ANOTHER CHILD AFTER YOU SIGN THIS WILL, YOU
4 SHOULD MAKE AND SIGN A NEW WILL.

5 8. IF YOU HAVE CHILDREN UNDER 21 YEARS OF AGE, YOU MAY WISH TO
6 USE THE ALASKA BASIC WILL WITH TRUST OR ANOTHER TYPE OF WILL.

7 9. THIS WILL IS NOT VALID UNLESS IT IS SIGNED BY AT LEAST TWO
8 WITNESSES. YOU SHOULD CAREFULLY READ AND FOLLOW THE WITNESSING PROCE-
9 DURE DESCRIBED AT THE END OF THIS WILL.

10 10. YOU SHOULD KEEP THIS WILL IN YOUR SAFE-DEPOSIT BOX OR OTHER
11 SAFE PLACE OR DEPOSIT THIS WILL WITH THE SUPERIOR COURT NEAREST TO
12 YOUR COMMUNITY.

13 11. YOU SHOULD NOT CHANGE, DELETE, OR ADD WORDS TO THE FACE OF
14 THIS ALASKA STATUTORY WILL WITHOUT CONSULTING A LAWYER. IF YOU HAVE
15 ANY DOUBTS WHETHER OR NOT THIS WILL ADEQUATELY SETS OUT YOUR WISHES
16 FOR THE DISPOSITION OF YOUR PROPERTY, YOU SHOULD CONSULT A LAWYER.

17 (A printed form for the Alaska basic will must set
18 out the above notice in 10-point boldface type.)

19 ALASKA BASIC WILL OF

20
21 _____
22 (Print your name)

23 Article 1. Declaration.

24 This is my will and I revoke all prior wills and codicils.

25 Article 2. Disposition of my property.

26 2.1 REAL PROPERTY. Except as provided in paragraph 2.3, I give
27 all my real property to my spouse, if living; otherwise it shall be
28 equally divided among my children who survive me. If my spouse does
29 not survive me and if none of my children survives me, my real pro-
property that is not distributed by paragraph 2.3 shall become part of

1 the residuary estate.

2 2.2 PERSONAL AND HOUSEHOLD ITEMS. Except as provided in para-
3 graph 2.3, I give my spouse, if my spouse survives me, all my books,
4 jewelry, clothing, personal automobiles, recreational equipment,
5 household furnishings and effects, and other tangible articles of a
6 household, recreational, or personal use, together with all policies
7 of insurance insuring these items. If my spouse does not survive me,
8 the personal representative shall distribute these items among my
9 children who survive me, in as nearly equal shares as feasible in the
10 personal representative's discretion. If my spouse does not survive
11 me and if none of my children survives me, the items described in this
12 paragraph shall become part of the residuary estate.

13 2.3 GIFTS TO PERSONS OR CHARITIES. I make the following gifts
14 of real or personal property to the persons or charities in the cash
15 amount stated in words (.....Dollars) and figures (\$.....) or of the
16 property described. I SIGN OPPOSITE EACH GIFT MADE. I WRITE THE
17 WORDS "NOT USED" ON THE REMAINING LINES. If I fail to sign opposite
18 any gift, then that gift is not made. If the person mentioned does
19 not survive me or if the charity does not accept the gift, then that
20 gift is not made.

21	FULL NAME OF PERSON	AMOUNT OF CASH GIFT	SIGNATURE OF
22	OR CHARITY TO RE-	OR DESCRIPTION OF	TESTATOR.
23	CEIVE GIFT. (Name only	PROPERTY.	
24	one. Please print.)		

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1 FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
2 OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
3 CEIVE GIFT. (Name only PROPERTY.
4 one. Please print.)
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9 FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
10 OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
11 CEIVE GIFT. (Name only PROPERTY.
12 one. Please print.)
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17 FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
18 OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
19 CEIVE GIFT. (Name only PROPERTY.
20 one. Please print.)
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25 FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
26 OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
27 CEIVE GIFT. (Name only PROPERTY.
28 one. Please print.)
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3.1 GUARDIAN. (If you have a child or children under 18 years of age, you may name at least one person to serve as guardian for the child or children.)

A. If a guardian is needed for my child or children, then I nominate the first guardian named below to serve as guardian of my child or children. If the person does not serve, then the others shall serve in the order I list them. My nomination of a guardian is not valid without my signature.

FIRST GUARDIAN _____
(signature of testator)

SECOND GUARDIAN _____
(signature of testator)

THIRD GUARDIAN _____
(signature of testator)

B. A guardian of the person or of the estate shall have all of the powers conferred by law. All powers of the guardian may be exercised without court authorization.

3.2 CONSERVATOR. (A conservator may be named to manage the property of a minor child or minor children. You do not need to name a conservator if you wish the guardian to act as conservator. If you wish to name a conservator in addition to a guardian, complete this paragraph. If you do not wish to name a separate conservator, do not complete this paragraph.)

A. I nominate the first conservator named below to serve as conservator for my minor child or minor children. If the first conservator does not serve, then the others shall serve in the order I list them. My nomination of a conservator is not valid without my signature.

FIRST CONSERVATOR _____

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(signature of testator)

SECOND CONSERVATOR _____

(signature of testator)

THIRD CONSERVATOR _____

(signature of testator)

B. The conservator shall have all of the powers conferred by law.

3.3 PERSONAL REPRESENTATIVE. (Name at least one.)

A. I nominate the person or institution named as first personal representative below to administer the provisions of this will. If that person or institution does not serve, then I nominate the others to serve in the order I list them. My nomination of a personal representative is not valid without my signature.

FIRST PERSONAL

REPRESENTATIVE _____

(signature of testator)

SECOND PERSONAL

REPRESENTATIVE _____

(signature of testator)

THIRD PERSONAL

REPRESENTATIVE _____

(signature of testator)

B. In addition to powers conferred upon personal representatives by law, the personal representative may sell estate assets at public or private sale, for cash or on credit terms; lease estate assets without restriction as to duration; or invest surplus money of the estate in real or personal property, as the personal representative considers advisable. The personal representative may distribute estate assets otherwise distributable to a minor beneficiary to the

1 guardian of the minor's person or estate, an adult person with whom
2 the minor resides and who has the care, custody, or control of the
3 minor, or a custodian, serving on behalf of the minor under the Uni-
4 form Gifts to Minors Act of any state, or the Uniform Transfers to
5 Minors Act of any state. The personal representative is free of
6 liability and is discharged from further accountability for distribut-
7 ing assets in compliance with this paragraph.

8 On any distribution of assets from the estate, the personal
9 representative may partition, allot, and distribute the assets in
10 kind, including undivided interests in an asset or in any part of it;
11 partly in cash and partly in kind; or entirely in cash. If a distri-
12 bution is being made to more than one beneficiary, the personal repre-
13 sentative may distribute assets among them on a prorated or nonpro-
14 rated basis, with the assets valued as of the date of distribution.

15 3.4 BOND. (The bond provides a fund to pay those who do not
16 receive the share of your estate to which they are entitled, including
17 your creditors, because of improper performance of duties by the
18 personal representative or guardian. Bond premiums are paid out of
19 your estate.)

20 My signature means that a bond is not required for any individual
21 named in this will as personal representative or guardian. If I do
22 not sign, then a bond is required for each of those persons as set out
23 in the Alaska Uniform Probate Code.

24 _____
25 (signature of testator)

26 I sign my name to this Alaska

27 Statutory Will

28 on _____ at _____,
29 Date City State

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(signature of testator)

STATEMENT OF WITNESSES (You must use two competent witnesses.)

Each of us declares under penalty of perjury under the laws of Alaska that the testator signed this Alaska statutory will in our presence, all of us being present at the same time, and we now, at the testator's request, in the testator's presence, and in the presence of each other, sign below as witnesses, declaring that the testator appears to be of sound mind and under no duress, fraud, or undue influence.

Signature _____ Residence Address: _____

Print Name

Here: _____

Signature _____ Residence Address: _____

Print Name

Here: _____

(b) The following is the form for the Alaska basic will with trust:

Alaska Basic Will With Trust

NOTICE TO THE PERSON WHO SIGNS THIS WILL:

1. THIS STATUTORY WILL WITH TRUST HAS SERIOUS LEGAL EFFECTS ON YOUR FAMILY AND PROPERTY. THIS WILL CONTAINS A TRUST FOR YOUR FAMILY. IF YOU DO NOT WANT TO CREATE A TRUST, DO NOT USE THIS FORM. IF THERE IS ANYTHING IN THIS WILL WITH TRUST THAT YOU DO NOT UNDERSTAND, YOU SHOULD CONSULT A LAWYER FOR AN EXPLANATION.

2. THIS WILL DOES NOT DISPOSE OF PROPERTY WHICH PASSES ON YOUR DEATH TO ANY PERSON BY OPERATION OF LAW OR BY ANY CONTRACT. FOR EXAMPLE, THE WILL DOES NOT DISPOSE OF JOINT TENANCY ASSETS, AND IT DOES NOT NORMALLY APPLY TO PROCEEDS OF LIFE INSURANCE ON YOUR LIFE OR

1 YOUR RETIREMENT PLAN BENEFITS.

2 3. THIS WILL IS NOT DESIGNED TO REDUCE DEATH TAXES OR ANY OTHER
3 TAXES. YOU SHOULD DISCUSS THE TAX EFFECT OF THIS STATUTORY WILL WITH
4 TRUST WITH A COMPETENT TAX ADVISOR.

5 4. THIS WILL MAY NOT WORK WELL IF YOU HAVE CHILDREN BY A PRE-
6 VIOUS MARRIAGE OR IF YOU HAVE BUSINESS PROPERTY, PARTICULARLY IF THE
7 BUSINESS IS UNINCORPORATED.

8 5. YOU MAY REVOKE THIS ALASKA BASIC WILL WITH TRUST BY SIGNING A
9 NEW WILL. YOU MAY AMEND THIS WILL WITH TRUST BY CODICIL.

10 6. THIS WILL TREATS ADOPTED CHILDREN AS IF THEY ARE NATURAL
11 CHILDREN.

12 7. IF YOU MARRY OR DIVORCE AFTER YOU SIGN THIS WILL, YOU SHOULD
13 MAKE AND SIGN A NEW WILL.

14 8. IF YOU HAVE ANOTHER CHILD AFTER YOU SIGN THIS WILL, YOU
15 SHOULD MAKE AND SIGN A NEW WILL.

16 9. THIS WILL IS NOT VALID UNLESS IT IS SIGNED BY AT LEAST TWO
17 WITNESSES. YOU SHOULD CAREFULLY READ AND FOLLOW THE WITNESSING PROCE-
18 DURE DESCRIBED AT THE END OF THIS WILL.

19 10. YOU SHOULD KEEP THIS WILL IN YOUR SAFE-DEPOSIT BOX OR OTHER
20 SAFE PLACE OR DEPOSIT THIS WILL WITH THE SUPERIOR COURT NEAREST TO
21 YOUR COMMUNITY.

22 11. YOU SHOULD NOT CHANGE, DELETE, OR ADD WORDS TO THE FACE OF
23 THIS ALASKA BASIC WILL WITH TRUST WITHOUT CONSULTING A LAWYER. IF YOU
24 HAVE ANY DOUBTS WHETHER THIS ALASKA BASIC WILL WITH TRUST ADEQUATELY
25 SETS OUT YOUR WISHES FOR THE DISTRIBUTION OF YOUR PROPERTY, YOU SHOULD
26 CONSULT WITH A LAWYER.

27 (A printed form for an Alaska basic will with trust must
28 set out the above notice in 10-point boldface type.)

29 ALASKA BASIC WILL WITH TRUST OF

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(Print Your Name)

Article 1. Declaration.

This is my will and I revoke any prior wills and codicils.

Article 2. Disposition of My Property.

2.1 PERSONAL AND HOUSEHOLD ITEMS. Except as provided in paragraph 2.2, I give my spouse, if my spouse survives me, all my books, jewelry, clothing, personal automobiles, recreational equipment, household furnishings and effects, and other tangible articles of a household, recreational, or personal use, together with all policies of insurance insuring these items. If my spouse does not survive me, the personal representative shall distribute those items among my children who survive me, in as nearly equal shares as feasible in the personal representative's discretion. If my spouse does not survive me and if none of my children survive me, the items described in this paragraph shall become part of the residuary estate.

2.2 GIFTS TO PERSONS OR CHARITIES. I make the following gifts of real or personal property, to the persons or charities in the cash amount stated in words (.....Dollars) and figures (\$.....) or of the property described. I SIGN OPPOSITE EACH GIFT MADE. I WRITE THE WORDS "NOT USED" ON THE REMAINING LINES. If I fail to sign opposite any gift, then that gift is not made. If the person mentioned does not survive me or if the charity does not accept the gift, then that gift is not made.

FULL NAME OF PERSON	AMOUNT OF CASH GIFT	SIGNATURE OF
OR CHARITY TO RECEIVE GIFT. (Name only	OR DESCRIPTION OF	TESTATOR.
one. Please print.)	PROPERTY.	

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FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
CEIVE GIFT. (Name only PROPERTY.
one. Please print.)

FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
CEIVE GIFT. (Name only PROPERTY.
one. Please print.)

FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
CEIVE GIFT. (Name only PROPERTY.
one. Please print.)

FULL NAME OF PERSON AMOUNT OF CASH GIFT SIGNATURE OF
OR CHARITY TO RE- OR DESCRIPTION OF TESTATOR.
CEIVE GIFT. (Name only PROPERTY.
one. Please print.)

1 2.3 ALL OTHER ASSETS (my "residuary estate"). (If you have a
2 substantial estate, choosing clause A or B might not be the most
3 advantageous tax option available to you. If you have questions
4 concerning the tax implications of these clauses, you should consult a
5 competent tax advisor.)

6 I adopt only one Property Disposition Clause by placing my ini-
7 tials on the line in front of the letter "A" or "B" signifying which
8 clause I wish to adopt. I also place my signature after the clause I
9 wish to adopt. If I fail to sign the appropriate distribution(s) or
10 if I sign in more than one clause or if I fail to place my initials on
11 the appropriate line, this paragraph will be invalid and the remainder
12 of my property must be distributed as if I did not make a will.

13 ___A. If my spouse survives me, then I give all my residuary estate
14 to my spouse.

15 If my spouse does not survive me and if any child of mine under
16 21 years of age survives me, then I give all my residuary estate to
17 the trustee, in trust, on the following terms:

18 (1). As long as any of my children under 21 years of age is
19 living, the trustee shall distribute from time to time to or for
20 the benefit of one or more of my children and the descendants of
21 any deceased child of any age as much, or all, of the (i) princi-
22 pal; (ii) net income of the trust; or (iii) both, as the trustee
23 considers necessary for their health, support, maintenance, and
24 education. The undistributed income shall be accumulated and
25 added to the principal. "Education" includes, but is not limited
26 to, college, graduate, postgraduate, and vocational studies, and
27 reasonably related living expenses. Consistent with the
28 trustee's fiduciary duties, the trustee may distribute trust
29 income or principal in equal or unequal shares and to any one or

1 more of the beneficiaries to the exclusion of other benefici-
2 aries. In deciding on distributions, the trustee may take into
3 account, so far as known to the trustee, the beneficiaries' other
4 income, outside resources, or sources of support, including the
5 capacity for gainful employment of a beneficiary who has complet-
6 ed his or her education.

7 (2). The trust shall terminate when none of my living
8 children is under 21 years of age. The trustee shall distribute
9 any remaining principal and accumulated net income of the trust
10 to my descendants who are then living.

11 If my spouse does not survive me and if none of my children
12 under 21 years of age survives me, then I give all my residuary
13 estate to my descendants who survive me.
14

15 _____
16 (signature of testator)

17 If you choose this clause and you do not want 21 years of
18 age to apply, print a different age, 18 or above, and sign on
19 this line.
20

21 _____
(age)

_____ (signature of testator)

22 _____ B. I give all my residuary estate to the trustee, in trust, on
23 the following terms:

24 (1). As long as any of my children under 21 years of age is
25 living, the trustee shall distribute from time to time to or for
26 the benefit of one or more of my children and the descendants of
27 a deceased child of any age as much or all, of the (i) principal,
28 or (ii) net income of the trust, or (iii) both, as the trustee
29 considers necessary for their health, support, maintenance, and

1 education. Any undistributed income shall be accumulated and
2 added to the principal. "Education" includes, but is not limited
3 to, college, graduate, postgraduate, and vocational studies, and
4 reasonably related living expenses. Consistent with the trust-
5 ee's fiduciary duties, the trustee may distribute trust income or
6 principal in equal or unequal shares and to one or more of the
7 beneficiaries to the exclusion of other beneficiaries. In decid-
8 ing on distributions, the trustee may take into account, so far
9 as known to the trustee, the beneficiaries' other income, outside
10 resources, or sources of support, including the capacity for
11 gainful employment of a beneficiary who has completed his or her
12 education.

13 (2). The trust shall terminate when none of my living
14 children is under 21 years of age. The trustee shall distribute
15 the remaining principal and accumulated net income of the trust
16 to my descendants who are then living.

17 If none of my children under 21 years of age survives me,
18 then I give all my residuary estate to my descendants who survive
19 me.

20 I leave nothing to my spouse, even if my spouse survives me.
21

22 _____
23 (signature of testator)

24 If you choose this clause and you do not want 21 years of
25 age to apply, print a different age, 18 or above, and sign on
26 this line.

27 _____
28 (age)

_____ (signature of testator)

29 Article 3. Nomination of guardian, trustee, and

1 personal representative.

2 3.1 GUARDIAN. (If you have a child or children under 18 years
3 of age, you may name at least one person to serve as guardian for the
4 child or children.)

5 If a guardian is needed for my child or children, then I nominate
6 the first guardian named below to serve as guardian of my child or
7 children. If the person does not serve, then the others shall serve
8 in the order I list them. My nomination of a guardian is not valid
9 without my signature.

10 A guardian of the person or of the estate shall have all of the
11 powers conferred by law.

12 FIRST GUARDIAN _____
13 (signature of testator)

14 SECOND GUARDIAN _____
15 (signature of testator)

16 THIRD GUARDIAN _____
17 (signature of testator)

18 3.2 TRUSTEE. (Name at least one.)

19 A. Because it is possible that after I die my property may be
20 put into a trust, I nominate the person or institution named as first
21 trustee to serve as trustee of that trust. If that person or institu-
22 tion does not serve, then I nominate the others to serve in the order
23 I list them.

24 FIRST TRUSTEE _____
25 (signature of testator)

26 SECOND TRUSTEE _____
27 (signature of testator)

28 THIRD TRUSTEE _____
29 (signature of testator)

1 B. POWERS OF TRUSTEE. In addition to any powers conferred upon
2 trustees by law, the trustee may:

3 (1). Hire and pay from the trust the fees of investment
4 advisors, accountants, tax advisors, agents, attorneys, and other
5 assistants for the administration of the trust and for the man-
6 agement of a trust asset and for litigation affecting the trust.

7 (2). On any distribution of assets from the trust, parti-
8 tion, allot, and distribute the assets in kind, including
9 undivided interests in an asset or in any part of it; partly in
10 cash and partly in kind; or entirely in cash. If a distribution
11 is being made to more than one beneficiary, the trustee shall
12 have the discretion to distribute assets among them on a prorated
13 or nonprorated basis, with the assets valued as of the date of
14 distribution.

15 (3). Upon termination of the trust, distribute assets to a
16 custodian for a minor beneficiary under the Uniform Gifts to
17 Minors Act of any state or the Uniform Transfers to Minors Act of
18 any state. The trustee is free of liability and is discharged
19 from any further accountability for distributing assets in com-
20 pliance with this paragraph.

21 C. TRUST ADMINISTRATIVE PROVISIONS. The following provisions
22 shall apply to a trust created by an Alaska statutory will with trust:

23 (1). The interests of trust beneficiaries are not transfer-
24 able by voluntary or involuntary assignment or by operation of
25 law and shall be free from the claims of creditors and from
26 attachment, execution, bankruptcy, or other legal process to the
27 fullest extent permissible by law.

28 (2). The trustee is entitled to reasonable compensation for
29 ordinary and extraordinary services, and for all services in

1 connection with the complete or partial termination of a trust
2 created by this will.

3 (3). All persons who have an interest in a trust under an
4 Alaska statutory will with trust are bound by all discretionary
5 determinations the trustee makes in good faith under the authori-
6 ty granted in this will.

7 D. INEFFECTIVE DISPOSITION. If at the termination of the trust
8 created by this will, there is not an effective disposition of the
9 remaining trust assets, then the trustee shall distribute those assets
10 to my then living heirs at law. The identity and respective shares of
11 my heirs at law must be determined as though I died on the date of the
12 termination of the trust and according to the law of the State of
13 Alaska relating to intestate succession then in effect.

14 3.3 PERSONAL REPRESENTATIVE. (Name at least one.)

15 A. I nominate the person or institution named as first personal
16 representative below to administer the provisions of this will. If
17 that person or institution does not serve, then I nominate the others
18 to serve in the order I list them. My nomination of a personal repre-
19 sentative is not valid without my signature.

20 FIRST PERSONAL

21 REPRESENTATIVE _____

22 (signature of testator)

23 SECOND PERSONAL

24 REPRESENTATIVE _____

25 (signature of testator)

26 THIRD PERSONAL

27 REPRESENTATIVE _____

28 (signature of testator)

29 B. In addition to powers conferred upon personal representatives

1 by law, the personal representative may sell estate assets at public
2 or private sale, for cash or on credit terms; lease estate assets
3 without restriction as to duration; or invest surplus money of the
4 estate in real or personal property, as the personal representative
5 considers advisable. The personal representative may distribute
6 estate assets otherwise distributable to a minor beneficiary to the
7 guardian of the minor's person or estate, an adult person with whom
8 the minor resides and who has the care, custody, or control of the
9 minor, or a custodian, serving on behalf of the minor under the uni-
10 form gifts to minors act of any state or the uniform transfers to
11 minors act of any state. The personal representative is free of
12 liability and is discharged from further accountability for distribut-
13 ing assets in compliance with this paragraph.

14 On any distribution of assets from the estate, the personal
15 representative may partition, allot, and distribute the assets in
16 kind, including undivided interests in an asset or in any part of it,
17 partly in cash and partly in kind, or entirely in cash. If a distri-
18 bution is being made to more than one beneficiary, the personal repre-
19 sentative may distribute assets among them on a prorated or nonpro-
20 rated basis, with the assets valued as of the date of distribution.

21 3.4 BOND. (The bond provides a fund to pay those who do not
22 receive the share of your estate to which they are entitled, including
23 your creditors, because of improper performance of duties by the
24 personal representative or guardian. Bond premiums are paid out of
25 your estate.)

26 My signature means that a bond is not required for an individual
27 named in this will as personal representative or guardian. If I do
28 not sign, then a bond is required for each of those persons as set out
29 in the Alaska Uniform Probate Code.

(signature of testator)

I sign my name to this Alaska
Statutory Will With Trust

on _____ at _____, _____
Date City State

(signature of testator)

STATEMENT OF WITNESSES (You must use two competent witnesses.)

Each of us declares under penalty of perjury under the laws of Alaska that the testator signed this Alaska statutory will with trust in our presence, all of us being present at the same time, and we now, at the testator's request, in the testator's presence, and in the presence of each other, sign below as witnesses, declaring that the testator appears to be of sound mind and under no duress, fraud, or undue influence.

Signature _____ Residence Address: _____
Print Name

Here: _____

Signature _____ Residence Address: _____
Print Name

Here: _____