



## GIFT OF SHARES OR BENEFICIAL INTEREST DECLARATION

STATE OF ALASKA )  
 )  
 ) ss.  
 )  
\_\_\_\_\_ JUDICIAL DISTRICT ) \_\_\_\_\_

The person described above as the Shareholder, being first duly sworn, upon oath, hereby deposes and states his/her intent to make a gift as indicated on *Gift of Shares or Beneficial Interest Designation Form* (Designation Form) Number: \_\_\_\_\_.

### GIFT OF SHARES

If the information on the Designation Form states that I wish to gift shares, I hereby declare that:

1. I am currently a shareholder of Ouzinkie Native Corporation ("ONC"), owning shares of Settlement Common Stock of ONC as described on the Designation Form.
2. I hereby give to the Recipient the number of my ONC shares set forth on the Designation Form and request that ONC transfer those shares to the Recipient.
3. I understand that pursuant to Alaska Native Claims Settlement Act section 7(h)(1)(C) "*Settlement Common Stock may be transferred to a Native or a descendant of a Native . . . as an inter vivos gift (i.e., a gift made during my lifetime rather than upon my death) from a holder to his or her child, grandchild, great grandchild, niece, nephew, or (if the holder has reached the age of majority as defined by the laws of the State of Alaska) brother or sister.*"
4. I understand that, pursuant to the ONC Benefits Settlement Trust, if I give only shares without transferring the beneficial interest associated with the shares (that is, I retain the death benefits associated with the gifted shares), I cannot later transfer the beneficial interest to anyone.
5. I understand that the Recipient must be an Alaska Native or descendant of a Native (as described in the "Definitions" section of this document) and that if I have questions regarding a person's qualifications, I will contact ONC.
6. I understand that my original stock certificate for my shares, if any, must be returned to ONC and will be canceled. The ONC shareholder records will be changed to reflect the gift of shares and any retained shares, but a new stock certificate will not be issued. Rather, a *Statement in Lieu of a Stock Certificate* will be provided by ONC to the Recipient indicating the gifted shares, and to me if I have retained any shares.



7. If I completed the Will Form (Will) on the back of my original certificate, I understand that the Will on the canceled certificate may be ineffective so I will need to sign a new Will. If I completed a separate will form (a Stock Will), I may need to complete a new *Stock Will* form to reflect that I own fewer shares of ONC after this gift becomes effective.

### **GIFT OF BENEFICIAL INTEREST**

If the information on the Designation Form states that I wish to give the beneficial interest (death benefit) associated with shares, I hereby declare that:

8. I am currently a shareholder of ONC owning shares of Settlement Common Stock of ONC having an associated beneficial interest under the ONC Death Benefits Settlement Trust, as described in the Designation Form.
9. I hereby give to the Recipient, identified in the Designation Form, the beneficial interest associated with my ONC shares as set forth in the Designation Form, and request that ONC transfer that beneficial interest associated with those shares to the Recipient.
10. I understand that, pursuant to the ONC Benefits Settlement Trust, I can transfer the beneficial interest associated with my shares and continue as a shareholder owning the shares only if the Recipient is a person to whom Settlement Common Stock was issued by ONC when it initially issued such stock to its original shareholders pursuant to ANCSA, 43 U.S.C. §§ 1606(g)(1)(A) and 1607(c) (an "Original Shareholder") and the Recipient was the initial owner of the shares associated with the beneficial interest.

### **GIFT OF SHARES AND RETENTION OF BENEFICIAL INTEREST**

If the information on the Designation Form states that I wish to retain the beneficial interest (death benefit) associated with shares, I am giving the Recipient, I hereby declare that:

11. I understand that, pursuant to the ONC Benefits Settlement Trust, I can transfer shares and retain the beneficial interest associated with the shares only if I am a Native or descendant of a Native and I elect in writing to continue to be a beneficiary as if I continued to own the transferred shares.

### **GENERAL TERMS OF GIFT**

12. The gift will become effective 30-days after the later of my signature below, the Recipient accepting the gift by signing an appropriate form, or delivery of all completed forms (including the appropriate accompanying documents) to ONC. Until the gift becomes effective, my death will revoke this gift and I may revoke the gift by delivering a signed revocation to ONC. The Recipient is authorized to act as my agent to arrange for the transfer of the shares or beneficial interest on the books of ONC or the ONC Death Benefits Settlement Trust.



I understand that I may not be able to revoke, take back, or otherwise change this gift of shares or beneficial interest once it has become effective.

13. I understand that the gift of the shares places all authority over and benefits to the shares (including the ability to transfer by Will or by gift, or sale, if permitted in the future) in the hands of the Recipient. I will no longer have voting rights for the gifted shares and I will no longer receive dividends or distributions for the gifted shares.
14. I understand that if the gift of shares includes the associated beneficial interest, I will no longer receive death benefits respecting the shares given to the Recipient. If the gift of shares does not include the associated beneficial interest (that is, I have retained the death benefits), I will receive death benefits respecting the shares in accordance with the ONC Benefits Settlement Trust but will not have any rights as a shareholder respecting the shares. If I give only the beneficial interest associated with shares, I will retain all rights as a shareholder, but will not receive death benefits respecting the shares.
15. I understand that the gift of shares or beneficial interest may result in gift tax or other tax obligations, which could be very large. This, and other considerations, were communicated in the Disclosures Letter I received from ONC along with this form. I may be responsible for those tax obligations. I cannot compel the Recipient or ONC to help me avoid or pay the tax obligations. I have been advised to consult with tax advisors regarding the tax impact of this gift, and have done so to the extent I considered appropriate.
16. I have not received or been promised any consideration or anything of value in exchange for making this gift. I wish to make this gift exclusively to benefit the Recipient, and not because of any benefit to me.
17. I understand that by signing this form I am swearing under oath to the best of my knowledge and belief that everything stated above, including the information set forth on the referenced Designation Form, is true and correct, and that I am acting of my own free will and am not under any undue pressure, influence or duress.

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**SIGNATURE OF GIFTING SHAREHOLDER**

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**DATE**

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_





**DEFINITIONS:**

“**Native**” means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined 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**” means 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 an adoptee of a Native or of a descendant of a Native, whose adoption occurred prior to his or her majority and is recognized at law or in equity.



## ACCEPTANCE OF GIFT STATEMENT

STATE OF ALASKA )  
 ) RECIPIENT  
 ) ss.  
 \_\_\_\_\_ JUDICIAL DISTRICT ) \_\_\_\_\_

The Recipient described above, or his or her Custodian, being first duly sworn, upon oath, hereby deposes and states his/her intent to accept a gift as indicated on *Gift of Shares or Beneficial Interest Designation Form* (Designation Form) Number: \_\_\_\_\_.

- A. I am the Recipient (or the Custodian for the Recipient). I accept the gift of ONC shares or beneficial interest as set forth in the Designation Form Number \_\_\_\_\_, including all the rights and responsibilities of being a shareholder of ONC or a beneficiary of the ONC Benefits Settlement Trust.
- B. I certify that I am (or, if I am the Custodian, the Recipient is) a Native or a descendant of a Native. (as described in the "Definitions" section of this document).
- C. I have not (and, if I am the Custodian, neither I nor the Recipient has) given or promised any consideration or anything of value in exchange for the making of this gift.
- D. I understand that, pursuant to the ONC Benefits Settlement Trust, if the gift is of only a beneficial interest (death benefit) without transfer of the shares associated with the beneficial interest, I cannot later transfer the beneficial interest to anyone.
- E. If I am not (or, if I am the Custodian, the Recipient is not) presently a shareholder of ONC, I will provide to ONC an I.R.S. W-9 form before the shares or beneficial interest are issued to me.
- F. If I am the Custodian, I consent to my appointment as Custodian for the 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 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.



G. I understand that by signing this form I am swearing under oath to the best of my knowledge and belief that everything stated above, including the information set forth on the associated Gift of Shares or Death Benefits Designation Form No. \_\_\_\_\_, is true and correct, and that I am acting of my own free will and am not under any undue pressure, influence or duress.

\_\_\_\_\_  
SIGNATURE OF RECIPIENT

\_\_\_\_\_  
DATE

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for Alaska

My Commission Expires: \_\_\_\_\_

**DOCUMENTS THAT MUST ACCOMPANY GIFT AND ACCEPTANCE**

- Birth certificate of Recipient and all intervening parents.
- Adoption decree(s), if appropriate.
- If a Custodian is named who is a legal guardian, attach a copy of the court order appointing the guardian. If a Custodian is named who is not a parent of the Recipient but is an adult member of the Recipient's family, attach an explanation stating why neither parent is able to serve as custodian.
- I.R.S. W-9 form, if appropriate.

**DEFINITIONS:**

“**Native**” means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined 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**” means 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 an adoptee of a Native or of a descendant of a Native, whose adoption occurred prior to his or her majority and is recognized at law or in equity.





## GIFT OF SHARES FORM

*Indicate on this form your intent to gift ONC shares as an inter vivos gift to your child, grandchild, great grandchild, niece, nephew, or brother or sister as you designate below. Complete all requested information, as applicable. Please print legibly.*

### GIFTING SHAREHOLDER INFORMATION

<b>INFORMATION REGARDING SHAREHOLDER OR BENEFICIARY (PERSON GIVING ONC SHARES OR BENEFICIAL INTEREST.)</b>	<b>NAME:</b>			
	<b>ADDRESS:</b>			
	<b>TELEPHONE NUMBER(S):</b>		<b>EMAIL:</b>	
	<b>BIRTHDAY:</b>		<b>AGE:</b>	
	<b>SOCIAL SECURITY NUMBER:</b>		<b>ENROLLMENT NUMBER:</b>	
	<b>IS GIFTING SHAREHOLDER A NATIVE OR DESCENDANT OF A NATIVE?</b>			

### GIFT INFORMATION

<b>INFORMATION ABOUT YOUR INTENDED GIFT (WHAT ARE YOU GIFTING TO THE RECIPIENT?)</b>	<b>IF THIS IS A GIFT OF SHARES:</b>		
	How many ONC shares do you own (before this gift)?	How many ONC shares are you giving to the recipient?	How many ONC shares will you own (after this gift)?
	If the Shares have an associated death benefit, is the death benefit included in the gift? <input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO (IT WILL BE RETAINED BY SHAREHOLDER)</b> <i>(Note: Applicable only if Gifting Shareholder is a Native or descendant of a Native)</i>		
	<b>IF THIS IS A GIFT OF DEATH BENEFITS ONLY, WITHOUT A GIFT OF SHARES:</b>		
	How many ONC shares having a death benefit do you own (before this gift)?	How many ONC shares of death benefit (ONLY) are being given in this gift?	How many ONC shares having a death benefit will you own (after this gift)?
	If the Gifting Shareholder shares or associated death benefit being gifted were originally owned by more than one original shareholder, provide the name of the person they were originally owned by:		

**\*\*\* FORM CONTINUES ON PAGE 2 \*\*\***



**RECIPIENT INFORMATION**

<b>INFORMATION REGARDING RECIPIENT (PERSON RECEIVING ONC SHARES OR DEATH BENEFIT.)</b>	<b>NAME:</b>			
	<b>ADDRESS:</b>			
	<b>TELEPHONE NUMBER(S):</b>		<b>EMAIL:</b>	
	<b>BIRTHDAY:</b>		<b>AGE:</b>	
	<b>SOCIAL SECURITY NUMBER:</b>		<b>ENROLLMENT NUMBER:</b> <i>(if already an ONC Shareholder)</i>	
	<b>IS RECIPIENT A NATIVE OR DESCENDANT OF A NATIVE?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO			

	<b>IF THIS IS A GIFT OF BENEFICIAL INTEREST ONLY, WITHOUT A GIFT OF SHARES:</b>		
	Is Recipient an original shareholder of ONC?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Is Recipient the original owner of the ONC shares having the death benefit being given?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

**CUSTODIAN INFORMATION**

<b>INFORMATION REGARDING CUSTODIAN (IF RECIPIENT IS LESS THAN 18 YEARS OLD)</b>	<b>NAME:</b>			
	<b>ADDRESS:</b>			
	<b>TELEPHONE NUMBER(S):</b>		<b>EMAIL:</b>	
	<b>BIRTHDAY:</b>		<b>AGE:</b>	
	<b>SOCIAL SECURITY NUMBER:</b>		<b>ENROLLMENT NUMBER:</b> <i>(if already an ONC shareholder)</i>	
	<b>RELATIONSHIP TO RECIPIENT:</b> <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Parent, as selected by the parents <input type="checkbox"/> Adult member of Recipient's family			

\_\_\_\_\_  
SIGNATURE OF GIFTING SHAREHOLDER

\_\_\_\_\_  
DATE