

The provision below may assist in specifying that Alaska is to be the initial situs of the trust and authorizing the trustee to change the situs to another jurisdiction, including one outside of the United States. This can provide flexibility if the laws of Alaska or of the United States develop in a manner which is regarded as adverse and that it is preferable for the trust to be located in another jurisdiction. If different trustees have different responsibilities (e.g., some make investments, some control distributions, some handle administration), it might be appropriate to specify that this power can be exercised by a particular set of trustees. The following provisions is offered as an example of a trust situs provision:

Situs Provision

The original situs of the trusts created hereunder shall be Alaska. The situs of any trust created hereunder may be maintained in any jurisdiction (including outside the United States), as the Trustee, in the exercise of sole and absolute discretion, may determine, and thereafter transferred at any time or times to any jurisdiction selected by the Trustee. Upon any such transfer of situs, the trust estate may thereafter, at the election of the Trustee of said trust, be administered exclusively under the laws of (and subject, as required, to the exclusive supervision of the courts of) the jurisdiction to which it has been transferred.

Accordingly, if the Trustee of any trust created hereunder elect to change the situs of any such trust, the Trustee of said trust are hereby relieved of any requirement of having to qualify in any other jurisdiction and of any requirement of having to account in any court of such other jurisdiction.