

Affidavit For Release of Property To Temporary Custodian  
Under AS 12.65.105

Notice To Person Holding Property of Decedent: Alaska Statute 12.65.105 allows you to release tangible personal property\* of the decedent named below to the person who signs this affidavit (the affiant). However, you are not required to do so. If you do release property, you must sign an inventory listing the property, and you should receive from the affiant a copy of the inventory and a copy of this affidavit. If you release the property, you will be discharged from further obligation as though you had dealt with the personal representative of the estate.

I, the undersigned affiant, am willing to take temporary custody of the decedent's property. I acknowledge that:

- a. AS 12.65.105 authorizes me to take custody of tangible personal property\* only;
- b. I am taking custody of the property solely for the purpose of preserving the property until a personal representative of the estate is appointed or until the property can be turned over to the person(s) designated to receive it in the decedent's will (if there is one) or to the decedent's heirs;
- c. I am answerable and accountable for the property to the personal representative of the decedent's estate, if one is appointed, and to other persons who have a superior right to the property;
- d. I must prepare an inventory listing all the property I take, state on the inventory where the property will be taken, sign the inventory, and have it signed by the person who releases the property to me. I must then immediately mail or deliver a copy of this affidavit and the inventory to the superior court nearest to (and in the same judicial district as) the decedent's legal residence before death;\*\* and
- e. After I take the property, if it is not claimed by the personal representative of the decedent's estate or another person having a superior right to the property within three years, and if I have no lawful claim to the property under AS 13.16.005 (as an heir or under the decedent's will), I must notify the Department of Revenue Unclaimed Property Section that I have possession of a decedent's property that appears to have passed to the state under AS 13.12.105 and be subject to AS 34.45.280 - .780 (unclaimed property laws).

I swear or affirm under penalty of perjury that the following information is true:

1. Decedent's name \_\_\_\_\_ Date of death \_\_\_\_\_
2. Decedent's domicile (legal residence) at the time of death \_\_\_\_\_

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\* In general, "tangible personal property" does not include money, checks, stocks, bonds, land, houses, fixtures. See, for example, AS 34.45.760.

\*\* If decedent's legal residence at the time of death was outside Alaska, I understand that I must mail or deliver the affidavit and inventory to the Alaska superior court nearest to where the property was located at the time of death (and in the same judicial district as the property).

3. My full name is \_\_\_\_\_
4. My mailing address is \_\_\_\_\_
5. My physical address is \_\_\_\_\_
6. My telephone number is \_\_\_\_\_
7. My employer is \_\_\_\_\_
8. My date of birth is \_\_\_\_\_
9. My driver's license number is \_\_\_\_\_ State \_\_\_\_\_  
 or my state identification number is \_\_\_\_\_ State \_\_\_\_\_  
 or my passport number is \_\_\_\_\_ Country \_\_\_\_\_

10. My relationship to the decedent was: (check all that apply)
- We were related by blood or marriage as follows: \_\_\_\_\_
- We were  friends  acquaintances  co-workers  
 employer-employee  business associates
- We shared a household.
- Other (explain) \_\_\_\_\_

11. The relatives of the decedent that I know of are:

Name	Address	Relationship to Decedent
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_ Date \_\_\_\_\_ Signature of Affiant

Subscribed and sworn to or affirmed before me at \_\_\_\_\_, Alaska,  
 on \_\_\_\_\_.  
 (date)

(SEAL) \_\_\_\_\_  
 Clerk of Court, Notary Public or other  
 person authorized to administer oaths.  
 My commission expires: \_\_\_\_\_

- Distribution:
1. original to affiant
  2. copy to superior court nearest to (and in the same judicial district as) the decedent's legal residence before death
  3. copy to person releasing property