

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In the Matter of:

Case No. _____

**DEBTOR'S CLAIM FOR
PROPERTY EXEMPTIONS**

Debtor.

I, _____, the undersigned debtor, hereby claim the following property as exempt pursuant to 11 U.S.C. §522(b)(3)(A), (B), and (C), the Laws of the State of North Carolina, and non-bankruptcy federal law.

Check if the debtor claims as exempt any amount of interest that exceeds \$125,000 in value in property that the debtor or a dependent of the debtor uses as a residence.

1. REAL OR PERSONAL PROPERTY USED BY DEBTOR OR DEBTOR'S DEPENDENT AS RESIDENCE OR BURIAL PLOT. NCGS 1C-1601(a)(1).

Select appropriate exemption amount below:

- Total net value not to exceed \$35,000.
- Total net value not to exceed \$60,000. (Debtor is unmarried, 65 years of age or older, property was previously owned by debtor as a tenant by the entireties or joint tenant with rights of survivorship, and former co-owner is deceased.)

Description of Property & Address	Market Value	Mtg. Holder or Lien Holder(s)	Amt. Mtg. or Lien	Net Value
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(a) Total Net Value	\$ _____
Total Net Exemption	\$ _____

(b) Unused portion of exemption, not to exceed \$5,000. (This amount, if any, may be carried forward and used to claim an exemption in any property owned by the debtor. (NCGS 1C-1601(a)(2)).	\$ _____
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2. TENANCY BY THE ENTIRETY. The following property is claimed as exempt pursuant to 11 U.S.C. § 522(b)(3)(B) and the laws of the State of North Carolina pertaining to property held as tenants by the entirety.

Description of Property & Address	Market Value	Mtg. Holder or Lien Holder(s)	Amt. Mtg. or Lien	Net Value
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3. MOTOR VEHICLE. (NCGS 1C-1601(a)(3). Only one vehicle allowed under this paragraph with net value claimed as exempt not to exceed \$3,500.)

Year, Make, Model of Auto	Market Value	Lien Holder(s)	Amt. Lien	Net Value
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(a) Statutory allowance	\$ <u>3,500</u>
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(b) Amount from 1(b) above to be used in this paragraph. (A part or all of 1(b) may be used as needed.)	\$ _____
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Total Net Exemption	\$ _____
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4. **TOOLS OF TRADE, IMPLEMENTS, OR PROFESSIONAL BOOKS.** (NCGS 1C-1601(a)(5). Used by debtor or debtor's dependent. Total net value of all items claimed as exempt not to exceed \$2,000.)

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(a) Statutory allowance \$ 2,000

(b) Amount from 1(b) above to be used in this paragraph.
(A part or all of 1 (b) may be used as needed.) \$ _____

Total Net Exemption \$ _____

5. **PERSONAL PROPERTY USED FOR HOUSEHOLD OR PERSONAL PURPOSES NEEDED BY DEBTOR OR DEBTOR'S DEPENDENTS.** (NCGS 1C-1601(a)(4). Debtor's aggregate interest, not to exceed \$5,000 in value for the debtor plus \$1,000 for each dependent of the debtor, not to exceed \$4,000 total for dependents.)

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
Clothing & Personal	_____	_____	_____	_____
Kitchen Appliances	_____	_____	_____	_____
Stove	_____	_____	_____	_____
Refrigerator	_____	_____	_____	_____
Freezer	_____	_____	_____	_____
Washing Machine	_____	_____	_____	_____
Dryer	_____	_____	_____	_____
China	_____	_____	_____	_____
Silver	_____	_____	_____	_____
Jewelry	_____	_____	_____	_____
Living Room Furniture	_____	_____	_____	_____
Den Furniture	_____	_____	_____	_____
Bedroom Furniture	_____	_____	_____	_____
Dining Room Furniture	_____	_____	_____	_____
Lawn Furniture	_____	_____	_____	_____
Television	_____	_____	_____	_____
() Stereo () Radio	_____	_____	_____	_____
Musical Instruments	_____	_____	_____	_____
() Piano () Organ	_____	_____	_____	_____
Air Conditioner	_____	_____	_____	_____
Paintings & Art	_____	_____	_____	_____
Lawn Mower	_____	_____	_____	_____
Yard Tools	_____	_____	_____	_____
Crops	_____	_____	_____	_____
Animals	_____	_____	_____	_____
Other ()	_____	_____	_____	_____

Total Net Value \$ _____

(a) Statutory allowance for debtor \$ 5,000

(b) Statutory allowance for debtor's dependents: _____ dependents
at \$1,000 each (not to exceed \$4,000 total for dependents) \$ _____

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(c) Amount from 1(b) above to be used in this paragraph.

(A part or all of 1 (b) may be used as needed.)

\$ _____

Total Net Exemption \$ _____

6. **LIFE INSURANCE.** (As provided in Article X, Section 5 of North Carolina Constitution.)

Name of Insurance Company _____ Policy No. _____

Name of Insured _____ Policy Date _____

Name of Beneficiary _____

7. **PROFESSIONALLY PRESCRIBED HEALTH AIDS (FOR DEBTOR OR DEBTOR'S DEPENDENTS).**

(NCGS 1C-1601(a)(7). No limit on value of number of items.)

Description: _____

8. **DEBTOR'S RIGHT TO RECEIVE FOLLOWING COMPENSATION:** (NCGS 1C-1601(a)(8). No limit on number or amount.)

A. \$ _____ Compensation for personal injury to debtor or to person whom debtor was dependent for support.

B. \$ _____ Compensation for death of person of whom debtor was dependent for support.

C. \$ _____ Compensation from private disability policies or annuities.

9. **INDIVIDUAL RETIREMENT PLANS AS DEFINED IN THE INTERNAL REVENUE CODE AND ANY PLAN TREATED IN THE SAME MANNER AS AN INDIVIDUAL RETIREMENT PLAN UNDER THE INTERNAL REVENUE CODE** (NCGS 1C-1601(a)(9). No limit on number or amount.) **AND OTHER RETIREMENT FUNDS DEFINED IN 11 U.S.C. § 522(b)(3)(c).**

Detailed Description

Value

10. **COLLEGE SAVINGS PLANS QUALIFIED UNDER SECTION 529 OF THE INTERNAL REVENUE CODE.**

(NCGS 1C-1601(a)(10). Total net value not to exceed \$25,000 and may not include any funds placed in a college saving plan within the preceding 12 months not in the ordinary course of the debtor's financial affairs. This exemption applies only to the extent that the funds are for a child of the debtor and will actually be used for the child's college or university expenses.

Detailed Description

Value

11. **RETIREMENT BENEFITS UNDER A RETIREMENT PLAN OF OTHER STATE AND GOVERNMENTAL UNITS OF OTHER STATES, TO THE EXTENT THOSE BENEFITS ARE EXEMPT UNDER THE LAWS OF THAT STATE OR GOVERNMENTAL UNIT.** (NCGS 1C-1601(a)(11). No limit on amount.)

Description: _____

12. **ALIMONY, SUPPORT, SEPARATION MAINTENANCE AND CHILD SUPPORT.** (NCGS 1C-1601(a)(12). No limit on amount to the extent such payments are reasonably necessary for the support of Debtor or dependent of Debtor.)

Description: _____

13. ANY OTHER REAL OR PERSONAL PROPERTY WHICH DEBTOR DESIRES TO CLAIM AS EXEMPT THAT HAS NOT PREVIOUSLY BEEN CLAIMED ABOVE. (NCGS 1C-1601(a)(2). The amount claimed may not exceed the remaining amount available under paragraph 1(b) which has not been used for other exemptions.)

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(a) Total Net Value of property claimed in paragraph 13.				\$ _____
(b) Total amount available from paragraph 1(b).			\$ _____	
(c) Less amounts from paragraph 1(b) which were Used in the following paragraphs:				
	Paragraph 3(b)		\$ _____	
	Paragraph 4(b)		\$ _____	
	Paragraph 5(c)		\$ _____	
	Net Balance Available from paragraph 1(b)			\$ _____
	Total Net Exemption			\$ _____

14. OTHER EXEMPTIONS CLAIMED UNDER THE LAWS OF THE STATE OF NORTH CAROLINA:

Aid to the Aged, Disabled and Families with Dependent Children, NCGS 108A-36	_____
Aid to the Blind, NCGA 111-18	_____
Yearly Allowance for Surviving Spouse, NCGS 30-15	_____
North Carolina Local Government Employees Retirement Benefits, NCGS 128-31	_____
North Carolina Teachers and State Employees Retirement Benefits, NCGS 135-9	_____
Firemen's Relief Fund Pensions, NCGS 58-86-90	_____
Workers Compensation Benefits, NCGS 97-21	_____
Unemployment Benefits, so long as not commingled and except for debts for necessities purchased while unemployed, NCGS 96-17	_____
Group Insurance Proceeds, NCGS 58-58-165	_____
Partnership Property, except on a claim against the partnership, NCGS 59-55	_____
Wages of a Debtor Necessary for Support of Family, NCGS 1-362	_____
Other	_____
TOTAL VALUE OF PROPERTY CLAIMED AS EXEMPT	\$ _____

15. EXEMPTIONS CLAIMED UNDER NON-BANKRUPTCY FEDERAL LAW:

Foreign Service Retirement and Disability Payments, 22 U.S.C. § 1104	_____
Social Security Benefits, 42 U.S.C. § 407	_____
Injury of Death Compensation Payments from War Risk Hazards, 42 U.S.C. § 601	_____
Wages of Fishermen, Seamen and Apprentices, 46 U.S.C. § 601	_____
Civil Service Retirement Benefits, 5 U.S.C. §§ 729, 2265	_____
Longshoremen and Harbor Workers Compensation Act Death and Disability Benefits, 33 U.S.C. § 916	_____
Railroad Retirement Act Annuities and Pensions 45 U.S.C. § 228(L)	_____
Veterans Benefits, 45 U.S.C. § 352(E)	_____
Special Pension Paid to Winners of Congressional Medal of Honor, 38 U.S.C. § 3101	_____
Federal Homestead Lands, on Debts Contracted Before the Issuance of the Patent, 43 U.S.C. § 175	_____
Other	_____
TOTAL VALUE OF PROPERTY CLAIMED AS EXEMPT	\$ _____

16. RECENT PURCHASES

The exemptions provided in NCGS 1C-1601(a)(2), (3), (4), and (5) are inapplicable with respect to tangible personal property purchased by the debtor less than 90 days preceding the initiation of judgment collection proceedings or the filing of a petition for bankruptcy, unless the purchase of the property is directly traceable to the liquidation or conversion of property that may be exempt and no additional property was transferred into or used to acquire the replacement property.

List tangible personal property purchased by the debtor less than 90 days preceding the filing of the bankruptcy petition:

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

DATE: _____

Debtor