

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

In the Matter of:

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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)).

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 \$ 3,500

(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 \$ _____

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			\$ <u>2,000</u>	
(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			\$ <u>5,000</u>	
(b) Statutory allowance for debtor's dependents: _____ dependents at \$1,000 each (not to exceed \$4,000 total for dependents)			\$ _____	
(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	\$ _____

DATE: _____

Debtor