

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

In the Matter of:

)
)
)
)
)
)

Case No. _____

**DEBTOR'S CLAIM FOR
PROPERTY EXEMPTIONS**

Debtor.

NOTE: You must complete this form in addition to Official Form 106C (Schedule 'C') to claim property as exempt if: (1) your domicile was located in North Carolina for the 730 days immediately preceding the date of the filing of the petition, or (2) your domicile was not located in a single state for those 730 days, but your domicile was located in North Carolina for 180 days immediately preceding the 730-day period or for a longer portion of such 180-day period than in any other place. For more information, please refer to Local Rule 4003-1 of the United States Bankruptcy Court for the Middle District of North Carolina. Schedule 'C' may be found at <https://www.uscourts.gov/forms/bankruptcy-forms>.

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.

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 entirety 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 |
|-----------------------------------|--------------|-------------------------------|-------------------|-----------|
|-----------------------------------|--------------|-------------------------------|-------------------|-----------|

(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 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 |
|-----------------------------------|--------------|-------------------------------|-------------------|-----------|
|-----------------------------------|--------------|-------------------------------|-------------------|-----------|

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 |
|--------------------------------------|-------------------------|-----------------------|------------------|----------------------|
|--------------------------------------|-------------------------|-----------------------|------------------|----------------------|

(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 \$ 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 Debtor plus \$1,000 for each dependent of 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) \$ _____
- (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.** (NCGS 1C-1601(a)(6) and 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.)

Description: _____

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

- A. \$ _____ Compensation for personal injury, including compensation from private disability policies or annuities.
- B. \$ _____ Compensation for death of a person upon whom Debtor was dependent for support.

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 savings plan within the preceding 12 months, except to the extent any of the contributions were made in the ordinary course of Debtor's financial affairs and were consistent with Debtor's past pattern of contributions. This exemption applies only to the extent that the funds are for a child of 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 OR GOVERNMENTAL UNIT OF OTHER STATE, 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, SEPARATE MAINTENANCE, AND CHILD SUPPORT PAYMENTS OR FUNDS THAT HAVE BEEN RECEIVED OR TO WHICH DEBTOR IS ENTITLED.** (NCGS 1C-1601(a)(12). No limit on amount to the extent such payments are reasonably necessary for the support of Debtor or a 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 | Value Claimed as Exempt |
|-------------|--------------|----------------|-----------|-----------|-------------------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

(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, NCGS 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. § 4060 _____
 Social Security Benefits, 42 U.S.C. § 407 _____
 Injury of Death Compensation Payments from War Risk Hazards, 42 U.S.C. § 1717 _____
 Wages of Master or Seamen, 46 U.S.C. § 11109 _____
 Civil Service Retirement Benefits, 5 U.S.C. § 8346 _____
 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. § 231m _____
 Veterans' Benefits, 38 U.S.C. § 5301 _____
 Special Pension Paid to Winners of Congressional Medal of Honor, 38 U.S.C. § 1562 _____
 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 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 Debtor less than 90 days preceding the filing of the bankruptcy petition:

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

DATE: _____

 Debtor

*If you choose "Other," you must describe the statutory basis for the exemption. A non-exhaustive list of additional exemptions may be found on the Court's website, <http://www.ncmb.uscourts.gov/>.