



1 Judgment Debtor ) PROPERTY

2 I, ....., being duly sworn do depose and say:

3 (fill in your name)

4 1. That I am a citizen and resident of ..... County, North Carolina;

5 2. That I was born on .....

6 (date of birth)

7 3. That I am (married to .....

8 (spouse's name)

9 .....

10 (not married)

11 4. That the following persons live in my household and are in substantial need of my  
12 support:

13 NAME	RELATIONSHIP TO DEBTOR	AGE
14 .....	.....	.....
15 .....	.....	.....
16 .....	.....	.....
17 .....	.....	.....

18 (Use additional space, as necessary)

19 5. That (I own) (I am purchasing) (I rent) (choose one; mark out the other choices) a  
20 (house) (trailer) (apartment) (choose one; mark out the other choices) located at  
21 .....

22 which is my residence.

23 (address, city, zip code)

24 6. That I (do) (do not) own any other real property. If other real property is  
25 owned, list that property on the following lines; if no other real property is owned, mark  
26 'not applicable' on the first line.

27  
28  
29  
30

31 7. That the following persons are, so far as I am able to tell, all of the persons or  
32 companies to whom I owe money:

33  
34  
35  
36  
37

38 8. That I wish to claim my interest in the following real or personal property that I  
39 use as a residence or my dependent uses as a residence. I also wish to claim my interest  
40 in the following burial plots for myself or my dependents. I understand that my total  
41 interest claimed in the residence and burial plots may not exceed \$7,500. I understand  
42 that I am not entitled to this exemption if I take the homestead exemption provided by  
43 the Constitution of North Carolina in other property. I understand that if I wish to claim

1 more than one parcel exempt I must attach additional pages setting forth the following  
2 information for each parcel claimed exempt.

- 3 Address .....
- 4 Names of Owners of Record .....
- 5 Estimated Value .....
- 6 Amount of Liens .....
- 7 Amount of Debtor's Interest .....

8 Property Location:  
 9 County ..... Township .....  
 10 Street Address .....

11 Legal Description:  
 12 Number by which county tax assessor identifies property .....

13 Description (Attach a copy of your deed or other instrument of conveyance that  
 14 describes the property and indicate here:..... or describe the  
 15 property in as much detail as possible.  
 16 Attach additional sheets if necessary.)  
 17 .....  
 18 .....  
 19 .....  
 20 .....

21 Record Owner(s) .....

22 .....

23 ..... Estimated Value:.....

24 Lienholders: .....(1) Name ..... Current  
 25 Balance .....

26 Address .....

27 (2) Name ..... Current Balance .....

28 Address .....

29 (3) Name..... Current Balance .....

30 Address.....

31 (4) If others, attach additional pages.

32 9. That I wish to claim the following life insurance policies whose sole beneficiaries  
33 are (my wife) (my children) (my wife and children) as exempt:

34 Name of Insurer	Policy Number	Face Value	Beneficiary(ies)
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35  
36  
37  
38

39 10. That I wish to claim the following items of health care aid necessary for (myself)  
40 (my dependents) to work or sustain health:

41 Item	Purpose	Person using item
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42  
43  
44

1 11. That I wish to claim the following implements, professional books, or tools (not  
2 to exceed \$500), of my trade or the trade of my dependent. I understand that such  
3 property purchased within 90 days of this proceeding is not exempt:

4 Item Estimated Value

5  
6  
7

8 12. That I wish to claim the following personal property consisting of household  
9 furnishings, household goods, wearing apparel, appliances, books, animals, crops or  
10 musical instruments as exempt from the claims of my creditors. I affirm, that these  
11 items of personal property are held primarily for my personal, family or household use  
12 or for such use by my dependents.

13 I understand that I am entitled to personal property worth the sum of \$2,500. I  
14 understand that I am also entitled to \$500 for each person dependent on me for support,  
15 but not to exceed \$2,000 for dependents. I further understand that I am entitled to this  
16 amount after deduction from the value of the property the amount of any valid lien or  
17 purchase money security interest and that property purchased within 90 days of this  
18 proceeding is not exempt.

19 Item (or class)	Amount of Lien	Location	Estimated
20 of Property	or Security		Value of
	Interest		Debtor's Interest
21 .....	.....	.....	.....
22 .....	.....	.....	.....
23 .....	.....	.....	.....
24 .....	.....	.....	.....

25 13. That I wish to claim my interest in the following motor vehicle as exempt from  
26 the claims of my creditors. I understand that I am entitled to my interest in a motor  
27 vehicle worth the sum of \$1,000 after deduction of the amount of any valid liens or  
28 purchase money security interest. I understand that a motor vehicle purchased within 90  
29 days of this proceeding is not exempt.

30 Make and	Year	Name(s) of	Name(s) of	Estimated
31 Model of		Title Owner	Lien Holder(s)	Value of
32 Motor Vehicle		of Record	of Record	Debtor's
				Interest
33 .....	.....	.....	.....	.....
34 .....	.....	.....	.....	.....

35 14. That I wish to claim as exempt the following compensation which I received for  
36 the personal injury of myself or a person upon whom I was dependent for support or  
37 compensation which I received for the death of a person upon whom I was dependent  
38 for support. I understand that this compensation is not exempt from claims for funeral,  
39 legal, medical, dental, hospital or health care charges related to the accident or injury  
40 which resulted in the payment of the compensation to me.

- 41 (a) amount of compensation
- 42 (b) method of payment: lump sum or installments
- 43 (If installments, state amount, frequency and duration of payments)

44

1 (c) name and relationship to debtor of person(s) injured or killed giving rise to  
2 compensation

3 (d) location of compensation if received in lump or installments  
4 .....

5 (e) unpaid debts arising out of the injury or death giving rise to compensation

6 Name and Address	Services Rendered	Amount of Debt
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7 .....	.....	.....
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8 .....	.....	.....
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9 15. That I wish to claim the following property as exempt because I claimed  
10 residential real or personal property as exempt that is worth less than \$2,500 or I made  
11 no claim for a residential exemption under section (8) above. I understand that I am  
12 entitled to \$2,500 in any property only if I made no claim under section (8) above and  
13 that if I make a claim under section (8) above, that I am entitled to \$2,500 in any  
14 property minus any amount I claimed under section (8). (Examples: claim of \$1,000  
15 under section (8), \$1,500 allowed here; claim of \$2,450 under section (8), \$50 allowed  
16 here; claim of \$2,600 under section (8), no claim allowed here.) I further understand  
17 that the amount of my claim under this section is after the deduction from the value of  
18 this property of the amount of any valid lien or purchase money security interests and  
19 that tangible personal property purchased within 90 days of this proceeding is not  
20 exempt.

21 <del>Property Location</del>	<del>Amount of Liens</del>	<del>Estimated</del>
	<del>or Purchase Money</del>	<del>Value of</del>
	<del>Security Interests</del>	<del>Debtor's</del>
		<del>Interest</del>

25 .....

26 .....

27 .....

28 PERSONAL PROPERTY:

29 <u>Property Location</u>	<u>Amount of Liens</u>	<u>Value of</u>
	<u>or Purchase Money</u>	<u>Debtor's</u>
	<u>Security Interests</u>	<u>Interest</u>

32 .....

33 .....

34 .....

35 .....

36 REAL PROPERTY (I understand that if I wish to claim more than one parcel exempt, I  
37 must attach additional pages setting forth the following information for each parcel  
38 claimed exempt):

39 Property Location

40 County ..... Township .....

41 Street Address .....

42 Legal Description:

1 Number by which county tax assessor identifies property

2 .....

3 .....

4 Description (Attach a copy of your deed or other instrument of conveyance that  
5 describes the property and indicate here: ..... or describe the  
6 property in as much detail as possible.  
7 Attach additional sheets if necessary.)

8 .....

9 .....

10 .....

11 .....

12 .....

13 .....

14 .....

15 Record

16 .....

17 .....

18 Estimated Value: .....

19 Lienholders:

20 (1) Name ..... Current Balance .....

21 Address .....

22 (2) Name ..... Current Balance .....

23 Address .....

24 (3) Name ..... Current Balance .....

25 Address.....

26 .....

27 (4) If others, attach additional pages.

28 16. That the following is a complete listing of all of my assets which I have  
29 not claimed as exempt under any of the preceding paragraphs:

30 Item Location Estimated value

31

32

33

34 This the .... day of ....., 19....

35 ..... Judgment Debtor

36 Sworn to and Subscribed before

37 me this .... day of ....., 19....

38 .....

39 Notary Public

My Commission Expires:".

40 Sec. 2. G.S. 1C-1604 reads as rewritten:

41 "§ 1C-1604. Effect of exemption.

42 (a) Property allocated to the debtor as exempt is free of the enforcement of the  
43 claims of creditors for indebtedness incurred before or after the exempt property is set  
44 aside, other than claims exempted by G.S. 1C-1601(e), for so long as the debtor owns it.

1 When the property is conveyed to another, the exemption ceases as to liens attaching  
2 prior to the conveyance. Creation of a security interest in the property does not  
3 constitute a conveyance within the meaning of this section, but a transfer in satisfaction  
4 of, or for the enforcement of, a security interest is a conveyance. When exempt property  
5 is conveyed, the debtor may have other exemptions allotted. ~~The statute of limitation on~~  
6 ~~judgments is suspended for the period of exemption, as to the property which is~~  
7 ~~exempt.~~

8 (a1) The statute of limitations on judgments is suspended for the period of  
9 exemption as to the property which is exempt. However, the statute of limitations is not  
10 suspended as to the exempt property unless the judgment creditor shall have, prior to  
11 that time, recorded a copy of the order designating exempt property in the office of the  
12 register of deeds in the county where the exempt real property is located.

13 (b) Exempt property which passes by bequest, devise, intestate succession or gift  
14 to a dependent spouse, child or person to whom the debtor stands in loco parentis,  
15 continues to be exempt while held by that person. The exemption is terminated if the  
16 spouse remarries, or, with regard to a dependent, when the court determinates that  
17 dependency no longer exists."

18 Sec. 3. This act becomes effective October 1, 1991. For one year from  
19 October 1, 1991, upon application of either the judgment debtor or judgment creditor,  
20 the clerk of superior court may amend any order previously entered for the purpose of  
21 more specifically describing exempt property. If the statute of limitations expires on a  
22 judgment lien as to exempt property and, but for the provisions of this act, it would not  
23 have expired, the statute of limitations is suspended for one year from October 1, 1991,  
24 to allow a judgment creditor to file with the register of deeds a copy of an order  
25 designating exempt property.