

DOM: _____
DOS: _____

AFFIDAVIT OF _____

NORTH CAROLINA

**IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: ____-CVD-____**

COUNTY OF _____

_____	:	EQUITABLE DISTRIBUTION INVENTORY
Plaintiff	:	AFFIDAVIT OF _____
vs.	:	:
	:	:
_____	:	DATE OF MARRIAGE: _____
Defendant.	:	DATE OF SEPARATION: _____

THE AFFIANT, being first duly sworn and under oath as shown below, states as follows:

1. I am filing with the Court, as required by its Rules, this Affidavit for its use in scheduling the course of this litigation.

2. That Affidavit consists of this and the attached _____ pages.

3. The information contained in this Affidavit is true and accurate to the best of my knowledge. Areas of uncertainty are duly noted in the "Comments" sections.

4. In this Affidavit I have made a full and complete disclosure of all marital and separate property known to me, and I have attached to this Affidavit copies of all appraisals of marital property (obtained within three years of the date of separation) that are currently available to me. I have obtained, and have attached copies of the following appraisals: _____

5. I understand that this Affidavit may be amended from time to time as additional or different information becomes known.

6. At the Discovery and Scheduling Conference, I am requesting the following (include all applicable categories):

* Appointment of Real Estate Appraiser(s)

My Nominee(s) is/are: _____

* Appointment of Business Appraiser(s)

My Nominee(s) is/are: _____

* Appointment of Personal Property Appraiser(s)

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My Nominee(s) is/are: _____

* Appointment of a Referee

My Nominee(s) is/are: _____

* Appointment if Other Expert (specify) _____

My Nominee(s) is/are: _____

7. The date this equitable distribution action was filed is _____

8. (If applicable) I was divorced from my spouse on _____

This the ____ day of _____, 20__.

AFFIANT

STATE/Commonwealth of _____
CITY/COUNTY OF _____ to wit;

Sworn to and subscribed before me this the ____ day of _____, 20__

Notary Public

DOM: _____
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AFFIDAVIT OF _____

PART I: MARITAL PROPERTY & MARITAL DEBTS

SCHEDULE I: REALTY & MOBILE HOMES

INSTRUCTIONS: For each parcel of realty, give date of acquisition, tax basis (if known), book and page number of deed, and a brief description of the property. For each mobile home, list the make, model and year, and indicate whether the mobile home is titled or has been made part of realty. For each lien or mortgage, list the lender, account number, book and page number of deed of trust, and original loan amount.

	Description	Possession as of DOS	Title	Tax Basis (If Known)	Value Or Amount at DOS	Current Value or Amount	Proposed Distribution
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTAL							

Comments:

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SCHEDULE II. TRANSPORTATION

INSTRUCTIONS: For each vehicle, list the year, make, & model. For each lien, list the lender, account number, and original loan amount. If you used nada or some other standard reference to determine value, attach a copy of the page(s) you used, with the appropriate entries circled. If the vehicle is paid for, leave the "lien" row blank.

	Asset	Possession as of DOS	Title	Net FMV at DOS	Net FMV Now	Proposed Distribution
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
TOTAL						

Comments:

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SCHEDULE III. STOCKS AND BONDS

INSTRUCTIONS: List bonds and publicly traded stock on this schedule. Stock in closely held corporations should be listed on schedule x (business interests).

	Asset & Possession	Title	Net FMV at DOS	Net FMV Now	Proposed Distribution
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
TOTAL					

Comments:

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SCHEDULE IV. BANK ACCOUNTS

INSTRUCTIONS: List bank and last four of account number in first column.

	Asset / Account Number	Possession as of DOS	Title	Balance as of DOS	Proposed Distribution	Account In Use / Depleted Since DOS	In Use / Depleted by Whom
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTAL							

Comments:

DOM: _____
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SCHEDULE V. - ARTWORK, ETC.

	Asset & Possession	Net FMV at DOS	Net FMV Now	Proposed Distribution
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
TOTAL				

Comments:

DOM: _____
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AFFIDAVIT OF _____

SCHEDULE VI. – MISC. NOTES, ACCOUNTS RECEIVABLE

	Note Holder	Title	Net FMV at DOS	Net FMV Today	Proposed Distribution
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
TOTAL					

Comments:

DOM: _____
DOS: _____

AFFIDAVIT OF _____

SCHEDULE VII. - SILVERWARE, CHINA AND CRYSTAL

	Asset & Possession	Net FMV at DOS	Net FMV Today	Proposed Distribution
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
TOTAL				

Comments:

DOM: _____
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SCHEDULE VIII. - JEWELRY

	Asset	Possession as of DOS	Net FMV as DOS	Net FMV Today	Proposed Distribution
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
TOTAL					

Comments:

DOM: _____
DOS: _____

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SCHEDULE IX. - PETS & LIVESTOCK

	Asset	Possession at DOS	Registration	Net FMV at DOS	Net FMV Today	Proposed Distribution
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
TOTAL						

Comments:

DOM: _____
 DOS: _____

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SCHEDULE X. - BUSINESS INTERESTS

INSTRUCTIONS: Indicate whether business is a proprietorship, partnership, corporation, or other entity in "type of entity" column. Also indicate number of shares owned, if applicable, and percentage of ownership. If business is a partnership, list other partners after "comments." Also indicate after "comments" if you and/or your spouse currently play a managerial or employment role in the business. Publicly traded stocks should be listed on Schedule III.

	Type of Entity	Title	Net FMV at DOS	Net FMV Today	Proposed Distribution
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
TOTAL					

Comments:

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SCHEDULE XI-A - HOUSEHOLD GOODS IN WIFE'S POSSESSION

INSTRUCTIONS: List only the household goods now in the wife's possession. **Add as many rows as necessary.**

	Description of Item	Net FMV at DOS	Net FMV Today	Proposed Distribution
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
TOTAL				

Comments:

DOM: _____
DOS: _____

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SCHEDULE XI-B. - HOUSEHOLD GOODS IN HUSBAND'S POSSESSION

INSTRUCTIONS: List only the household goods now in the husband's possession.
Add as many rows as necessary.

	Description of Item	Net FMV at DOS	Net FMV Today	Proposed Distribution
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
TOTAL				

Comments:

DOM: _____
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SCHEDULE XII. - DEFINED CONTRIBUTION PLANS

INSTRUCTIONS: You should list all defined contribution plans on this schedule, including IRAs, 401(k)s, profit sharing plans and other tax deferred savings and or investment plans. If the plan is not 100% marital property, so indicate in the first column (under "description of plan")

	Description of Plan	Owned By	Net FMV at DOS	Net FMV Today	Proposed Distribution
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
TOTAL					

Comments:

DOM: _____
DOS: _____

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SPOUSE'S PLAN: Does the opposing party have a defined benefit plan? If so, describe as fully as possible:

Name of Plan: _____

Name and Address of Plan Administrator: name: _____

street address: _____

city, state, zip: _____

"Present Value" as of Date of Separation: _____

Your date of hire was: _____

Participation in Plan began: _____

Number of months of participation in Plan during marriage: _____

Total number of months in Plan: _____

Are you currently in this Plan? _____

Is this Plan currently in pay status? _____

Have you obtained an appraisal of this plan? _____

Is the appraisal attached? _____

If the appraisal is not attached, give the

Name and address of the appraiser: name: _____

street address: _____

city, state, zip: _____

DOM: _____
 DOS: _____

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SCHEDULE XIV. - MISCELLANEOUS

INSTRUCTIONS: Use this schedule to list any items of marital property that do not belong in any of the categories in schedules I-XIII.

	Asset	Possession	Title	Net FMV at DOS	Net FMV Today	Proposed Distribution
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
TOTAL						

DOM: _____
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SCHEDULE XV. - UNSECURED MARITAL DEBTS

INSTRUCTIONS: List only unsecured debts. For credit - card debt, list the account number. Secured debts should be listed on the appropriate schedule as a lien, mortgage or other encumbrance against a specific marital asset. In the "comments" section, indicate whether you have paid or are paying any of these debts.

	NAME & ADDRESS OF CREDITOR	AMOUNT OWED AT DOS	AMOUNT OWED NOW	REASON INCURRED
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
TOTAL				

Comments:

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**SCHEDULE XVI. - ACTIVE INCREASE IN VALUE OF SEPARATE PROPERTY
PRIOR TO SEPARATION**

Do you contend that any separate property owned by the other party has actively increased in value (i.e., increased because of you efforts, or your spouse's efforts, or the efforts of both of you) during the course of the marriage and prior to the date of separation? If so, complete the following:

	Description of Asset	Possession of Asset	Owner of Asset	Net FMV at DOS	Net FMV Now	Amount of Active Increase
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
TOTAL						

Comments:

DOM: _____
DOS: _____

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SCHEDULE XVII. – DIVISIBLE PROPERTY

	Asset	Possession of Asset	Title	Net FMV at DOS	Net FMV Today	Proposed Distribution
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
TOTAL						

Comments:

DOM: _____
DOS: _____

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PART II. - DISTRIBUTIONAL FACTORS

1. SEPARATE DEBTS & DEBTS INCURRED FOLLOWING SEPARATION

INSTRUCTIONS: List all debts in excess of \$500 which are either non - marital debts incurred during the marriage, or debts incurred by you following separation from your spouse.

	NAME OF CREDITOR & ACCOUNT #	REASON INCURRED	AMOUNT INCURRED	BALANCE OWED NOW
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
TOTAL				

Comments:

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DOS: _____

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2. SEPARATE PROPERTY

INSTRUCTIONS: List all real or personal property which is your separate property, this does not include property acquired after separation. This means property owned by you as of the date of separation which is not marital property and was not listed as marital property in this affidavit.

	Asset	Possession	Manner of Acquisition	FMV at DOS	FMV Now
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
TOTAL					

Comments:

DOM: _____
DOS: _____

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3. PROPERTY ACQUIRED AFTER SEPARATION

INSTRUCTIONS: List here property acquired by you with funds acquired by you after the date of separation having a net value in excess of \$500 and which is your property. Property acquired after separation with marital funds should be listed on the marital - property schedules

	Asset	Possession	Lien or Encumbrance	Net FMV Now
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
TOTAL				

Comments:

DOM: _____
 DOS: _____

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4. POST-SEPARATION DISPOSAL OF MARITAL PROPERTY

List all marital assets which have since separation been totally or partially sold, transferred, consumed, destroyed, or exchanged for other property, including but not limited to: sale of property, withdrawal of funds from accounts, and rollover of retirement benefits. Identify the amount of money or other consideration resulting from the disposal, who effected the disposal (i.e., H, W, or JT.), and what has been done with the net proceeds, if any (i.e., debts paid, other property acquired).

	Description of Property	Date of Disposal	Type of Disposal	Sale Proceeds	Use of Proceeds	How Much Did Non-Disposing Party Receive?
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
TOTAL						

Comments:

IMPORTANT: READ THESE GENERAL INSTRUCTIONS

1. If the other party has previously filed his or her inventory, use the same numbering sequence for each item listed by the other party, even if your values are different. If the other party failed to list items, you should list the omitted items on the appropriate schedule after you have listed the items on the other party's inventory in the same order as use by the other party.

2. If you do not know a value or amount, you may leave the appropriate box blank or write "Unknown" in the box.

3. If a value you list is supported by a written appraisal, you should so indicate in the "Comments" section of each Schedule, and you should attach a copy of the appraisal to this inventory.

4. For all items, whether real property or personal, encumbered by a security interest, list the item first, at full fair market value, followed immediately, in the next row, by the amount of the loan or lien, which should be expressed as a negative number.

5. Use H or W immediately after the description of each item to indicate whether Husband or Wife has current possession of an item. Also use H or W to indicate which party you contend should receive the item. In the "Title" column, use H to show title Husband, W to show title in Wife, and JT to show joint title.

6. Using the Schedules list all marital property and all marital debts known to you.

7. "DOS" means "date of separation"
"DOM" means "date of marriage"
"FMV" means "fair market value"
"H" means "husband"
"W" means "wife"
"JT" means "joint"

8. Only the schedules used needs to be submitted. Blank sheets can be discarded.

9. YOU MAY PRINT AS MANY ADDITIONAL SHEETS OF EACH SCHEDULE AS NEEDED.

DOM: _____
DOS: _____

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	Item: _____	FMV at DOS	FMV Today	Proposed Distribution
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
TOTAL				

Comments:
