STATE OF NORTH CAROLINA

File No.

County

IN THE MATTER OF THE ESTATE OF

PETITION AND ASSIGNMENT YEAR'S ALLOWANCE

In The General Court Of Justice Superior Court Division

Before The Clerk

(For Decedents Dying On Or After March 1, 2024)

G.S. 30-15, 30-17, 30-20

Spoken Language Court Interpreter Needed For Any Party, Victim, Or Witness? (If Yes, identify person(s) and language(s). Interpreters provided for all court proceedings at no cost.)

I am petitioning for an allowance for a year's support for the person(s) named and state:

1. a. The decedent was domiciled in this county on the decedent's date of death shown above.

b. The decedent had no domicile in this State at the time of the decedent's death, but personal property that belonged to the decedent at his or her death, which was on the date shown above, is located in this county.

2. a. No personal representative has been issued letters.

b. A personal representative has been appointed and issued letters, and it has been less than six (6) months since the personal representative was issued letters.

3. a. The surviving spouse, if any, named below is entitled to an allowance from the personal property of the decedent of the value of sixty thousand dollars (\$60,000), for a year's support, and the spouse is not barred from seeking an allowance under G.S. 31A-1 or another applicable law.*

b. The child(ren), if any, named below is/are entitled to an allowance of ten thousand dollars (\$10,000) for a year's support, and the child(ren) is/are not barred from seeking an allowance under G.S. Chapter 31A or other applicable law.*

4. I request assignment of

Date Of Death

Sixty thousand dollars (**\$60,000**) from the funds or other personal property of the decedent for a year's support to the surviving spouse. Ten thousand dollars (**\$10,000**) from the funds or other personal property of the decedent for a year's support to each child named below.

		SPOUSE* ENTITLED TO ALLOWANCE				
Full Name		Complete Address (including zip code)				
CHILD(REN)* ENTITLED TO ALLOWANCE						
Full Name		Age of Child at Decedent's Death	Complete Add	lress (including zip code)		

*NOTE: The right of the surviving spouse to file a claim for an allowance must be exercised during the lifetime of the surviving spouse (i) by the surviving spouse, (ii) by the surviving spouse's agent under a durable power of attorney, or (iii), with approval of the court, by the guardian of the surviving spouse's estate or general guardian. The spouse's allowance takes priority over any child's allowance.

The right of a child to file a claim for an allowance must be exercised during the lifetime of the child. Every child of a decedent who is under the age of 21 years at the time of the decedent's death, including an adopted child or a child in utero, and every child who is under the age of 21 years at the time of the decedent's death with whom the decedent stood in loco parentis at the time of death is entitled to an allowance. The person entitled to file a petition on behalf of the child for a child's allowance shall be in the following order of priority: (1) The general guardian or guardian of the estate of the child, if any. (2) The surviving parent of the child if the child resides with the surviving parent. (3) The person with whom the child resides. If the clerk of superior court determines that no person entitled to file a petition person is a fit or suitable individual, the clerk, upon the clerk's own motion, may appoint another individual if the clerk determines that individual better represents the best interests of the child as the representative. A child's allowance shall only be awarded after the full spouse's allowance under G.S. 30-15 has been awarded.

Name And Address Of Petitioner (type or print)	Spouse Of Decedent		
	Surviving Spouse's Agent Under A Durable Power Of Attorney		
	Guardian Of The Estate Or General Guardian		
	Other:		

Original-File Copy-Petitioner Copy-Personal Representative Appointed For Estate

	VERI	ICATION		
I, the undersigned petitioner, have read this Petition and state that its contents are true to my own knowledge except those matters stated on information and belief, which I believe are true.				
SWORN/AFFIRM	IED AND SUBSCRIBED TO BEFORE ME	Date		
Date	Signature Of Person Authorized To Administer Oaths	Signature Of Peti	tioner	
Deputy CSC	Assistant CSC Clerk Of Superior Court			
Notary	Date My Commission Expires			
SEAL	County Where Notarized			

NOTE TO PETITIONER: If a personal representative has been appointed for the decedent's estate, a copy of the verified petition must be personally delivered or sent by first-class mail by the petitioner to the personal representative.

Name Of Deceden	t
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ASSIGNMENT OF YEAR'S ALLOWANCE

I have examined the above petition and have determined the money and other personal property of the decedent. I find that the allegations in the petition are true and that each person(s) named in the petition is entitled to the allowance requested.

I ASSIGN to the petitioner the funds or other items of the personal property of the decedent listed below, which I have valued as indicated. This property is assigned free and clear of any lien by judgment or execution against the decedent and is to be paid by the petitioner to the person(s) entitled. I assess as a DEFICIENCY the amount, if any, shown below, which is to be paid or delivered to the proper person when any additional personal assets of the decedent are discovered.

	Personal Prop	erty Assigned			١	/alue	
				TOT	TAL \$		
				DEFICIEN	DEFICIENCY \$		
Date	Signature			ssistant CSC 🗌 Clei	rk Of Superior Court	SEAL	
NOTE TO CLERK	If a personal representative has been owance to the personal representative	appointed for the dec	cedent's estat	e, the clerk of superio	or court shall provide	a copy of any	
		CERTIFICA					
above-referenced e	t the foregoing is a True and Corre estate as recorded in this office and eceased as provided under G.S. 3	d shall be sufficient	t to release th				
Date	Signature		Deputy CSC	Assistant CSC	Clerk Of Superior Court	SEAL	
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