STATE OF NORTH CAROLINA )

) FREE TRADER AGREEMENT

WAIVER OF MARITAL RIGHTS

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ )

THIS WAIVER OF MARITAL RIGHTS and FREE TRADER AGREEMENT, (hereinafter the “Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020, by and between \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , hereinafter “Wife”, a resident of \_\_\_\_\_\_\_\_\_\_\_\_ County, North Carolina, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter “Husband”), a resident of \_\_\_\_\_\_\_\_\_\_ County, North Carolina.

WITNESSETH:

WHEREAS, the parties hereto were lawfully married to each other, and lived together as husband and wife, and now wish to provide record notice in accordance with North Carolina General Statutes §52-10, 29-30, 39-13.4 *et.seq.*, and any other provisions affecting rights of spouses to property of the other, of each party’s individual authority to acquire or convey real property, or any interest therein, without the consent or joinder of the other party; and

WHEREAS, both parties fully understand the terms, conditions and provisions of this agreement and believe and agree that they express their mutual intention;

NOW THEREFORE, to that end, and for an in consideration of the mutual covenants, promises and agreements herein declared and set forth, the parties hereto agree as follows:

1. Waiver: [PARTY WAIVING] by execution of this agreement, hereby waives, releases and quitclaims forever unto the [OTHER PARTY] (1) any and all right to share in the estate of the Grantee upon the Grantee’s death as provided in N.C.G.S. 29-14, or pursuant to a Last Will and Testament or codicil thereto of the Grantee, (2) all and every right to elect to take a life estate in said real estate pursuant to N.C.G.S. 29-30 upon the death of the Grantee, (3) all and every right to an elective share in the estate of the Grantee pursuant to N.C.G.S. 30-3.1 et seq, (4) any and all rights arising out of any action for equitable distribution under N.C.G.S. 50-20, (5) any and all rights arising from application of the community property laws of any state, and (6) any and all other rights and interests in said real estate which the Grantor now has or may hereafter have or acquire arising out of or accruing to said Grantor by reason of past, current or future marital relationship between said parties
2. Husband and Wife are each authorized to convey any real property titled in the individual name of the person desiring to convey such property or any interest therein without the consent or joinder of the other, and that such title shall pass free and clear of all rights in such property and free and clear of such interests in such property that the other spouse might have or acquire solely as a result of the marriage, including any rights arising under NCGS §29-30, NCGS §30-3 *et. seq.*, and any rights that the other spouse might have as a result of NCGS §50-20 *et. seq*.

It is covenanted and agreed between the parties that each of them shall and will, at any time or times hereafter, be bound hereby and any third party may rely upon this instrument to take good and marketable title from either spouse in any interest in and to their solely owned real estate without joinder or consent of the other spouse in an instrument of conveyance.

IN WITNESS WHEREOF, Husband and Wife have executed this Agreement this date first written above.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Husband (Insert name here)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Wife (Insert name here)

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public for said county and state, do hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who is known to me or proved to me on the basis of satisfactory evidence to be the person(s) described, personally came before me this day, each acknowledging to me that he/she/they voluntarily signed the foregoing instrument for the purpose stated therein, and in the capacity indicated.

Witness my hand and Notarial stamp this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public:

My Commission Expires:

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public for said county and state, do hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who is known to me or proved to me on the basis of satisfactory evidence to be the person(s) described, personally came before me this day, each acknowledging to me that he/she/they voluntarily signed the foregoing instrument for the purpose stated therein, and in the capacity indicated.

Witness my hand and Notarial stamp this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2020.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public:

My Commission Expires: