

Article 4.

Creation, Validity, Modification, and Termination of Trust.

**§ 36C-4-401. Methods of creating trust.**

A trust may be created by any of the following methods:

- (1) Transfer of property by a settlor to a person as trustee during the settlor's lifetime or by will or other disposition taking effect upon the settlor's death including either of the following:
  - a. The devise to the trustee of the trust as provided in G.S. 31-47.
  - b. The designation of the trust as beneficiary of life insurance or other death benefits as provided in G.S. 36C-4-401.1.
- (2) Declaration by the owner of property that the owner holds identifiable property as trustee unless the transfer of title of that property is otherwise required by law.
- (3) Exercise of a power of appointment in favor of a trustee.
- (4) A court by judgment, order, or decree, including the establishment of a trust pursuant to section 1396p(d)(4) of Title 42 of the United States Code. (2005-192, s. 2; 2007-106, s. 14; 2009-267, s. 2; 2011-284, s. 45.)