

# STATE OF NORTH CAROLINA

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
 District  Superior Court Division

<i>Name Of Defendant</i>		<b>BOND TO SECURE TEMPORARY PRETRIAL RELEASE OF MOTOR VEHICLE - FELONY SPEEDING TO ELUDE</b> G.S. 20-28.3(e), -(e2)(2)		
<i>Defendant's Drivers License No.</i>	<i>State</i>			
<i>Vehicle Identification No.</i>	<i>Vehicle Type</i>	<i>Make</i>	<i>Year</i>	
<i>Vehicle License No.</i>	<i>State</i>	<i>Amount Of Bond (See Note On Bond Amount Below)</i> \$		

- Cash Bond By Owner(s)** (See note on reverse side.) - I/We, the undersigned motor vehicle owner(s), acknowledge that the motor vehicle described above has been seized pursuant to G.S. 20-28.3 and that, upon the issuance of an order temporarily releasing the vehicle under G.S. 20-28.3, I/we shall be bound to pay the county school fund of the county named above the sum shown above, and hereby deposit cash in this amount as security with the understanding that the deposit will be returned on the Court's determination that the conditions of this Bond stated on the reverse side have been performed.
- Property Bond By Owner(s)** - I/We, the undersigned motor vehicle owner(s), acknowledge that the motor vehicle described above has been seized pursuant to G.S. 20-28.3 and that, upon the issuance of an order temporarily releasing the vehicle under G.S. 20-28.3, I/we shall be bound to pay the county school fund of the county named above the sum shown above, and hereby tender a deed of trust in recordable form to real property in the full amount of this Bond with the understanding that the deed of trust will be cancelled on the Court's determination that the conditions of this Bond stated on the reverse side have been performed.
- Surety Bond** - We, the undersigned owner(s) and surety(ies), jointly and severally acknowledge that the motor vehicle described above has been seized pursuant to G.S. 20-28.3 and that, upon the issuance of an order temporarily releasing the vehicle under G.S. 20-28.3, we and our personal representatives are bound to pay the county school fund of the county named above the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has(have) deposited the cash to secure the obligation as surety(ies) on this bond with the understanding that the deposit will be returned to the surety(ies) on the Court's determination that the conditions of this Bond stated on the reverse side have been performed, and that it will **NOT** be available to the owner(s) of the vehicle. **(For cash bond, see note on reverse side.)**

<i>Name, Address And Tel. No. Of Vehicle Owner 1</i>		<i>Name, Address And Tel. No. Of Vehicle Owner 2</i>		
<i>Date Of Execution Of Bond</i>	<i>Signature Of Vehicle Owner 1</i>	<i>Signature Of Vehicle Owner 2</i>		

### ACCOMMODATION BONDSMAN

<i>Name And Address Of Accommodation Bondsman</i>		<i>Name And Address Of Accommodation Bondsman</i>		
<i>Telephone No.</i>		<i>Telephone No.</i>		

### PROFESSIONAL BONDSMAN

<i>Name Of Bondsman</i>		<i>Name Of Runner, If Applicable</i>		
<i>License No. Of Bondsman</i>	<i>Telephone No.</i>	<i>License No. Of Runner</i>	<i>Telephone No.</i>	

### INSURANCE COMPANY

<i>Name Of Insurance Company</i>		<i>Name Of Bail Agent</i>		
<i>Power Of Appointment No. Of Bail Agent</i>		<i>License No. Of Bail Agent</i>	<i>Telephone No.</i>	

### SIGNATURE

<i>Signature Of Surety</i>		<i>Signature Of Surety</i>		
<b>SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME</b>		<b>SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME</b>		
<i>Date</i>	<i>Signature</i>	<i>Date</i>	<i>Signature</i>	

Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court  Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court

### COMPLETE IF CASH DEPOSITED

<i>Signature Of Official Accepting Cash</i>	<i>Name Of Official Accepting Cash (type or print)</i>	<i>Receipt No.</i>
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**NOTE: If cash deposited, see note on reverse side.**  
**NOTE ON BOND AMOUNT:** The amount of this bond must be equal to the fair market value of the motor vehicle, as determined in accordance with the schedule of values adopted by the Commissioner of Motor Vehicles pursuant to G.S. 105-187.3.

Original - File  
(Over)

**CONDITIONS**

The condition of this Bond is that the owner(s) will return the motor vehicle, in substantially the same condition as it was at the time it was seized and without any new or additional liens or encumbrances, on the day of any hearing scheduled and noticed by the district attorney under G.S. 20-28.2(c), unless the motor vehicle has been permanently released. If the owner(s) fails/fail to return the vehicle in the manner specified above or otherwise violates/violate a condition of pretrial release of the motor vehicle as set forth in G.S. 20-28.3, the Court shall order the forfeiture of the bond and shall issue an order to seize the vehicle, and the person(s) obligated on this Bond shall pay to the county school fund of the county named on the reverse side the amount of this Bond shown on the reverse side. This Bond is effective and binding throughout all stages of the proceedings in the trial divisions of the General Court of Justice and until there is a final disposition on the seized motor vehicle.

Each motor vehicle owner, by signing this Bond, acknowledges that if he or she willfully violates any condition of pretrial release of the motor vehicle, he or she also may be held in civil or criminal contempt.

Each accommodation bondsman, by signing on the reverse, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the vehicle identified on the reverse, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

**AFFIDAVIT**

**NOTE:** "Professional bondsmen, surety bondsmen [bail agents], and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(d). Check all options that apply.

- 1. I have not, nor has anyone for my use, been promised or received any collateral, security, or premium for executing this Bond.
- 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
- 3. I have received a premium in the amount shown below.
- 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$	Date Due	Amount Of Premium Received \$
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value

**AFFIX STAMP OR  
POWER OF ATTORNEY  
HERE**

**NOTES ON CASH BONDS:**

(1) **To Official Taking The Bond.** Use this form for all cash bonds. Complete this form as follows:

**When Cash Deposited By Vehicle Owner(s) Or By Another Person Who Intends For The Cash To Be Returned To The Owner(s).** Enter the owner's(s) name, address and telephone number on Side One. Check "Cash Bond By Owner(s)." Have the owner(s) sign. Do no more. No person's name should appear on this form other than the name(s) of the owner(s) (and the name of the defendant at the top of Side One). Sign, enter your name and enter receipt number under "Complete If Cash Deposited." Make the receipt out to the owner(s), not to any other person.

**When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Returned To The Owner(s).** Enter the owner's(s) name, address and telephone number on Side One. Check "Surety Bond." Have the owner(s) sign. Enter the name, address and telephone number of the person(s) depositing the cash under "Accommodation Bondsman." Have that/those person(s) sign under "Signature Of Surety." Complete the notarization section for that/those person(s). Sign, enter your name and enter receipt number under "Complete If Cash Deposited." Make the receipt out to the person(s) depositing the cash.

(2) **To Bookkeeper.** When there is a final disposition of the seized motor vehicle, disburse the cash as follows: (1) If "Cash Bond By Owner(s)" is checked on Side One, disburse to the owner(s). (2) If "Surety Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."

(3) **Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support.** G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.