



Bond of Terminal Operator

Bond No. _____

Pursuant to Article 12-A of the Tax Law
KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned

of

(name of corporation, partnership or individual)

(address)

as principal, and _____,
(name of insurance company) (address, street, city, state, ZIP code)

as surety, being a surety company incorporated under the laws of _____,
(state of incorporation)

and duly authorized to transact business in the State of New York, are held and firmly bound to the People of the State of New York in the penal sum of TEN THOUSAND DOLLARS (\$10,000) for which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

WHEREAS, said principal, having a motor fuel storage facility(ies) located at _____,
(address)

(street, city, state, ZIP code) has applied for a license as a

terminal operator pursuant to Article 12-A of the Tax Law, and the application for such license has been approved.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the principal shall faithfully discharge his duties as a terminal operator pursuant to Article 12-A of the Tax Law and the regulations of the Department of Taxation and Finance thereunder, and does not suffer or permit any violations of said Article 12-A of the Tax Law or said regulations of the Department of Taxation and Finance thereunder, and does not give cause, as set forth in said Article 12-A, for the cancellation or suspension of said license as a terminal operator, then this obligation to be void, otherwise to remain in full force and effect, subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without a previous determination with respect to a failure to discharge a duty, suffering or permitting a violation or giving cause for revocation or suspension.
2. The aggregate liability of the surety on this bond on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond.
3. A breach of any condition of this bond shall be deemed to have been established by the revocation or cancellation of the aforesaid license unless said revocation or cancellation shall have been reversed or annulled by a court of competent jurisdiction.
4. This bond may be canceled as to liability for future defaults at any time upon the written consent of the Department of Taxation and Finance or upon thirty (30) days written notice by the surety to the Department of Taxation and Finance.

IN WITNESS WHEREOF, said principal and surety have signed and sealed this instrument this _____ day of _____, _____.

(SEAL) Principal _____ (SEAL) Surety

by _____ by _____

Note: Add acknowledgments by both principal and surety, financial statement of surety, etc., and copy of power of attorney for person signing on behalf of surety company.

SURETY ACKNOWLEDGMENT

State of _____)
) SS.:
 County of _____)

On this _____ day of _____ in the year _____ before me personally came _____ to me known,
(name of attorney in fact)

who, being duly sworn, did depose and say that he/she resides in: _____
(if the place of residence is in a city, include the street and street number, if any, thereof)

that he/she is the attorney in fact duly appointed of the _____, the corporation described in and which
(name of corporate surety)

executed the attached instrument as surety; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the board of directors of said corporation; and that he/she signed his/her name thereto by like authority.

Notary Public _____
 My commission expires _____

ACKNOWLEDGMENT BY PRINCIPAL

<p>INDIVIDUAL ACKNOWLEDGMENT</p> <p>State of _____)) ss.: County of _____)</p> <p>On this _____ day of _____ in the year _____ before me personally came _____ to me known, to be the person described in the attached bond and that he/she acknowledged to me that he/she executed the same.</p> <p style="text-align: right;">_____ (notary public)</p>	<p>PARTNERSHIP/LIMITED LIABILITY PARTNERSHIP ACKNOWLEDGMENT</p> <p>State of _____)) ss.: County of _____)</p> <p>On this _____ day of _____ in the year _____ before me personally came _____ to me known, who being by me duly sworn, did depose and say that he/she resides at _____ _____; that he/she is a partner of _____, the partnership described in and which executed the attached bond as principal; and that he/she is empowered to and did execute the same for and on behalf of the partnership.</p> <p style="text-align: right;">_____ (notary public)</p>
<p>CORPORATE ACKNOWLEDGMENT (AS PRINCIPAL)</p> <p>State of _____)) ss.: County of _____)</p> <p>On this _____ day of _____ in the year _____ before me personally came _____ to me known, who being duly sworn, did depose and say that he/she resides in _____; (if the place of residence is a city include the street and street number, if any) that he/she is the _____ (corporate title) of the _____ (name of corporation) the corporation described in and which executed the attached bond as principal; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the board of directors of said corporation, and that he/she signed his/her name thereto by like authority.</p> <p style="text-align: right;">_____ (notary public)</p>	<p>LIMITED LIABILITY COMPANY ACKNOWLEDGMENT</p> <p>State of _____)) ss.: County of _____)</p> <p>On this _____ day of _____ in the year _____ before me personally came _____ to me known, who being duly sworn, did depose and say that he/she resides in _____; (if the place of residence is a city include the street and street number, if any) that he/she is the member or manager of the _____ (name of LLC) _____, the limited liability company described in and which executed the attached bond as principal; that he/she is authorized to and did execute the same for and on behalf of the company.</p> <p style="text-align: right;">_____ (notary public)</p>