

**SPECIAL DEPOSIT BOND**

State of \_\_\_\_\_,

KNOW ALL MEN BY THESE PRESENTS. That the undersigned \_\_\_\_\_ as principal of \_\_\_\_\_ and the undersigned \_\_\_\_\_ as surety, of \_\_\_\_\_ are firmly held and bound unto the Administrator of the Department of Consumer Affairs of the State of South Carolina in full and just sum of \_\_\_\_\_ dollars, to which payment we bind ourselves and our respective successors and assigns jointly and severally.

Sealed with our seals and dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, two thousand and \_\_\_\_\_.

WHEREAS, Section 44-79-80 of the Code of Laws of South Carolina, 1976 as amended, requires that a physical fitness center deposit and thereafter continuously maintain a bond in an amount determined by the Administrator. The bond is to be executed by a surety company authorized by the laws of this State to transact business in South Carolina and must be for the use of the State as well as any member that may have a cause of action against the physical fitness services center.

AND WHEREAS, the undersigned principal \_\_\_\_\_ aforesaid, desires to transact business within the State of South Carolina in accordance with the terms of its laws and to deposit with the Administrator a good and solvent bond in the sum of \_\_\_\_\_ dollars, does by this instrument furnish that bond.

NOW, THEREFORE, the condition of this bond is such that if the above principal has failed to comply with the S.C. Physical Fitness Services Act, S.C. Code § 44-79-10, et seq. (LAW CO-OP 1986) or has failed to provide contracted for physical fitness services to customers as determined by the Administrator after notice and opportunity for hearing, then we the Beneficiary (South Carolina Department of Consumer Affairs) are entitled to the sum of \_\_\_\_\_.

PROVIDED, HOWEVER, that liability hereunder may be terminated either (a) by written notice, from the surety to the Administrator, that liability shall terminate upon the expiration of forty-five (45) days from the date of such notice, or (b) upon written authorization mailed to the surety by the Administrator.

IN, WITNESS where of the principal and surety have set their hand and affixed their seals in the manner and form following:

In presence of witness as to principal:

Name of principal:

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
By: \_\_\_\_\_  
(President (Officer))

\_\_\_\_\_  
Witness #2

Name of Surety:

In the presence of witness as to Surety:

\_\_\_\_\_  
By: \_\_\_\_\_  
(President (Officer))

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
Witness #2

**WITNESS AS TO PRINCIPAL**

STATE OF \_\_\_\_\_,  
\_\_\_\_\_ COUNTY.

Before me, the subscribing Notary Public, personally appeared \_\_\_\_\_  
and made oath that he/she saw the within named \_\_\_\_\_  
Company, represented by \_\_\_\_\_ sign, seal, and deliver the  
within Bond, and that he/she with \_\_\_\_\_ subscribed their names as  
witness thereto.

\_\_\_\_\_  
To be signed by witness one or two (see front of bond)

Sworn to and subscribed before  
me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_\_.

\_\_\_\_\_  
(L.S.)

My Commission Expires: \_\_\_\_\_

**WITNESS AS TO SURETY**

STATE OF \_\_\_\_\_,  
\_\_\_\_\_ COUNTY.

Before me, the subscribing Notary Public, personally appeared \_\_\_\_\_  
and made oath that he/she saw the within named \_\_\_\_\_  
Company represented by \_\_\_\_\_ sign, seal, and deliver the within  
Bond, and that he/she with \_\_\_\_\_ subscribed their names as witness thereto:

\_\_\_\_\_  
To be signed by witness one or two (see front of bond)

Sworn to and subscribed before  
me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_\_.

\_\_\_\_\_  
(L.S.)

My Commission Expires: \_\_\_\_\_