

Gins & Warehouses Section

May 1, 2015

Dear Warehouseman:

Enclosed are application and bond forms for you to renew your Public Warehouseman's Permit. Requirements to issue a permit include your application, a filling fee of \$150.00, a \$5,000.00 bond or equivalent, and Certificate of Insurance for Warehouseman's Legal Liability.

Your application must be signed and notarized. The application must state the character of goods to be stored and the highest estimated value of the products during the preceding 12 months. Also, all buildings that will be used by your company must be listed on the application.

Your \$5,000.00 bond must be made with a surety company that complies with the laws of Alabama. If you decide to use a bond equivalent or Letter of Credit, you must also file a Trust Fund Agreement Form.

Your Certificate of Insurance must state "**Warehouseman's Legal Liability**". Also, the amount of coverage must be adequate to cover the estimated value of the stored contents stated on your application.

Your present Public Warehouseman's Permit will expire on **July 31st**. A 15% late fee will be enforced for any warehouseman that does not send **all** necessary paperwork in their entirety on time and any person operating a public warehouse without a permit is subject to a penalty of up to \$1,000.00.

Your cooperation in complying in a timely manner is appreciated. If you have any questions, please call 240-7183 or 1-800-642-7761, Ext. 7183.

Sincerely,
Jason Kirk, Ag Supervisor
Gins & Warehouses Section

Enclosures

APPLICATION FOR PUBLIC WAREHOUSEMAN'S PERMIT

TO THE COMMISSIONER OF AGRICULTURE AND INDUSTRIES,
Richard Beard Building 1445 Federal Drive Montgomery, AL 36107-1123

(I,We) enclose a filing fee of \$150.00 Dollars and hereby make application for a public warehouseman's permit as required by the title 8, Chapter 15 of the Code of Alabama 1975, to transact business under the laws of Alabama and the rules and regulations adopted thereunder by the State Board of Agriculture, as a public warehouse.

The building, structure of protected enclosure hereinafter described is believed to be reasonable suited or adequate for the purpose for which it is intended to be used, and if it is found to fall short of the adopted standards by the State Board of Agriculture as to suitability or adequacy for the purpose for which it is used or intended, then the undersigned will promptly make or cause to be made all necessary changes required by the said standards. The undersigned further agrees to keep the records and to faithfully comply with the rules and regulations prescribed by the State Board of Agriculture relative to the conduct of the business of a public warehouse.

WAREHOUSE DESCRIPTION:

- (A) Name _____ Phone No: _____
- (B) Mailing Address _____ (Zip Code) _____
- (C) Location _____
- (D) Construction _____; sprinkled or not _____
(wood, concrete, brick, sheet, iron, etc.)

Inside dimensions of every compartment and the name or number by which every compartment is known:

- Dimensions _____ Name or No. _____
- Dimensions _____ Name or No. _____
- Dimensions _____ Name or No. _____
- (E) Estimated capacity of warehouse _____
- (F) Composition of Floor _____ Sq. Ft. Space _____
- (G) Note: If a building in the same city or town is to be operated under the same name, (except that it will be known as building No. 2, No. 3, etc and the same is not a contiguous part of the building above described in (A), (C), (D) and (E), it will be described as above in (C), (D), (E) and (F) on a separate sheet, attached to and made a part thereof.

Name of Person authorized to sign receipts _____

Name of each person interested as owner or principal in the management:

- (1) _____ (2) _____
- (3) _____ (4) _____

If a corporation, give name of President, Secretary and Treasurer:

President _____ Address _____

Secretary & Treasurer _____ Address _____

Address of Principal Office _____

Character of goods stored or to be stored in warehouse _____

The value of all goods or articles stored in the above described warehouse is estimated to have been greatest on the _____ day of _____, 20____, than at any other time during the past twelve months. The estimated value on the said date was \$ _____ Dollars, the number of _____ being _____.
(Goods or Articles) (State #)

Note: If no business has been done during the previous year, application will state on line below an estimate of the value of articles anticipated for storage this year.

\$ _____

AFFIDAVIT

STATE OF ALABAMA

COUNTY OF _____

Before me, _____, a Notary Public in and for the County and State aforesaid, personally appeared _____ who first being duly sworn according to law, deposes and says: "That the above application for a warehouseman's permit is true and correct and fully covers the operation of the applicant and that the building or buildings described above are used and will be used to the exclusion of all others, and that no goods, wares or merchandise received for storage will be stored in any other location or locations except as described in the foregoing application."

(Signed) _____
Proprietor, Lessee or Manager

SUBSCRIBED AND SWORN TO Before me this the _____ day of _____, 20____

(Notary Public)

My Commission Expires: _____

WAREHOUSEMAN'S BOND

STATE OF ALABAMA

KNOW ALL BY THESE PRESENTS

_____ COUNTY

THAT WE, _____, as principal, and _____, a surety company having a reputation for promptly settling claims upon their merits, and being duly qualified to become sole surety on bonds in the State of Alabama, as surety, are held and firmly bound unto the STATE OF ALABAMA in the sum of _____ dollars, for the payment of which, well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that under and in accordance with Title 8, Chapter 15 of the Code of Alabama 1975, and the rules and regulations adopted thereunder by the State Board of Agriculture, the Commissioner of Agriculture and Industries has approved the application of the said principal, for a permit to operate a public warehouse for the storage of cotton or other articles of value for compensation or without compensation and/or where a statement is to be issued acknowledging the receipt of the article of goods stored and where the delivery of the goods is to be undertaken, at _____ in said county for the period ending July 31, _____, and has fixed the amount of the bond to be furnished by said applicant at the above named amount.

Now, if the said principal shall faithfully perform all the duties which are or may be, by the law, authorized rule or regulation required of said principal as such public warehouseman, and in strict accordance with the representations and conditions included in the application for such a permit, during the above named time for which such a permit was issued, or any extension thereof to additional warehouse space under the laws of the State of Alabama and the regulations prescribed thereunder by the state Board of Agriculture, for the storage of cotton or other articles of value for compensation or without compensation and/or where a statement is to be issued acknowledging the receipt of the article of goods stored and the delivery of goods is to be undertaken, and shall pay to any and all persons storing cotton or other articles of value in said warehouse, in the open or any place outside of the warehouse, their executors, administrators, heirs or assigns any and all damages he or they may sustain for the breach of any duty owed him or them by said warehouseman as such under the laws of this State, and under the rules and regulations of the State Board of Agriculture, and shall pay the State of Alabama all expenses of any successful litigation which the State institutes to compel a compliance with the laws and rules and regulations relative to public warehouses, including the expenses of the employees of the Department and a reasonable attorney's fee, then the above obligation to be void; otherwise to remain in full force and effect.

Any claim for recovery on this bond must be filed in writing with Commissioner at 1445 Federal Drive, Montgomery, Alabama 36107-1123, within 120 days of the date of the transaction upon which the claim is filed. Failure to file within the above time may relieve the Commissioner of any obligation to pay said claim.

WITNESS OUR HANDS AND SEALS, this the _____ day of _____, _____.

TO BECOME EFFECTIVE _____.

Principal L.S.

Surety L.S.

By _____ L.S.

By _____ L.S.

Taken and approved, this the _____ day of _____, _____ in the City of Montgomery, Alabama.

Commissioner of Agriculture and Industries -----