

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice

 District Superior Court Division

Name Of Defendant

Defendant's Drivers License No.

State

Name(s) Of Owner(s) Other Than Defendant

APPLICATION AND ORDER FOR RELEASE OF SEIZED MOTOR VEHICLE DECLARED A TOTAL LOSS - IMPAIRED DRIVING

G.S. 20-28.3(h)

Name And Address Of Insurance Company

Name And Title Of Person Signing On Behalf Of County Board Of Education

Date Of Seizure

Date Of Offense

Vehicle Identification No.

Vehicle License No.

State

Vehicle Type

Make

Year

APPLICATION

The motor vehicle described above was seized on the date shown above while being driven by the defendant named above. The vehicle was seized pursuant to G.S. 20-28.3(a).

1. The applicant is the _____ County Board of Education.
2. The insurance company named above is liable for the damages to the motor vehicle described above.
3. The insurance policy number is _____.
4. The insurance company has declared the motor vehicle a total loss.

Pursuant to G.S. 20-28.3(h), the applicant requests that the Clerk order that the motor vehicle be released to the insurance company upon payment into the Clerk of all insurance proceeds for damage to the motor vehicle after payment of towing and storage costs and all valid liens.

Date

Signature Of Person Signing On Behalf Of County Board Of Education

FINDINGS OF FACT

This matter is before the Clerk on an application from the County Board of Education named above for the release of the motor vehicle described above to the insurance company named above. On the basis of the evidence presented and the entire record in this action, the Clerk finds that:

1. The insurance company named above is liable for the damages to the motor vehicle described above.
2. The insurance company has declared the motor vehicle a total loss.
3. The insurance company has paid to the Clerk all insurance proceeds for damage to the motor vehicle less towing and storage costs and all valid liens in the amount of \$ _____.

ORDER

It is ORDERED that:

1. The motor vehicle described above be released to the insurance company named above pursuant to G.S. 20-28.3(h) upon the payment of all towing and storage charges incurred as a result of the seizure and impoundment of the vehicle.
2. The application is denied. The vehicle shall remain impounded pending further orders of the Court.

Date

Name (Type Or Print)

Signature

 Assistant CSC Clerk Of Superior Court

NOTICE TO PARTY OBTAINING RELEASE: "[W]ithin 30 days of the date of the court's [release] order, the owner must make payment of the outstanding towing and storage costs for the motor vehicle and retrieve the motor vehicle, or give notice to [the] Division of Motor Vehicles requesting a judicial hearing on the validity of any mechanics' lien on the motor vehicle for towing and storage costs." G.S. 20-28.4.

CERTIFICATION

The foregoing is a true and correct copy of the original on file in this office.

Date

Name (Type Or Print)

Signature

 Deputy CSC Clerk Of Superior Court
 Assistant CSC

NOTE TO CLERK: If the Clerk releases the vehicle to the insurance company, the Clerk shall provide a certified copy of this order to DMV so that DMV may transfer the title of the motor vehicle to the insurance company or to such other person or entity as the insurance company may designate. G.S. 20-28.3(h).