

NOTICE OF RIGHT TO HEARING

TO THE DEFENDANT(S)/OWNER (S), LEIN HOLDER(S) AND TAG APPLICANT(S):

The Defendant(s)/owner(s), lien holder(s), and tag applicant(s) are hereby commanded and required either personally or by attorney to be and appear in the Magistrate Court of Floyd County, Suite 227, 401 Tribune Street, 3 Government Plaza, Rome, Georgia, on or before the tenth (10th) day from the date of service of the within affidavit and summons (or on the first business day thereafter if the tenth day falls on Saturday, Sunday, or legal holiday) then and there to petition the Court for hearing. If petition is not so made in the time allowed, the lien will conclusively be deemed a valid one and foreclosure thereof allowed.

Witness the Honorable Judge of said Court.

This _____ day of _____, _____.

Clerk/Magistrate

SERVICE REPORT

I have this day served the Defendant/Owner, lien holder(s), tag applicant(s) if applicable, by certified mail with proper postage to the address given by the affiant.

Date: ____/____/____

Clerk/Deputy Clerk

Certified Mail Return, Defendant(s)/Owner(s): ____/____/____

Certified Mail Return, Lien Holder(s): ____/____/____

Certified Mail Return, Tag Applicant(s): ____/____/____

IN THE MAGISTRATE COURT OF FLOYD COUNTY
ORDER FOR LIEN FORECLOSURE ON ABANDONED MOTOR VEHICLE

Plaintiff

vs.

CASE NUMBER _____

Defendant

Vehicle Description

Vehicle Identification Number

This case having come on regularly to be heard before this Court and The Defendant having failed to answer within the time provided by law,

IT IS ORDERED AND ADJUDGED that the lien be conclusively established on the above-described motor vehicle for the full amount sought in Plaintiff's Affidavit, in accordance with O.C.G.A. 40-11 governing Abandoned Vehicles; that foreclosure thereof be allowed through public sale, and that the vehicle be sold free and clear of all liens and encumbrances.

So Ordered this _____ day of _____, _____.

Judge
Magistrate Court of Floyd County

IN THE MAGISTRATE COURT OF FLOYD COUNTY
AFFIDAVIT FOR LIEN FORECLOSURE ON ABANDONED MOTOR VEHICLE

CASE NUMBER _____

Plaintiff VS. _____
Defendant

Vehicle: _____ V.I.N.: _____

Personally appeared _____, who on oath states the following: (1) That the Plaintiff named above is in possession of the above named vehicle. (2) Said vehicle is an abandoned vehicle under O. C. G. A. 40-11. (3) According to the best of Affiant's information and belief, the following person(s) are the owner(s), lien holder(s) and tag applicant(s) of said vehicle.

Owner(s) _____ Address _____

Lien Holder(s) _____ Address _____

Tag Applicant(s) _____ Address _____

(4) Notice requirements of O.C.G.A. 40-11-2 have been complied. (5) Demand for payment of removal and storage charges required by O.C.G.A. 40-11-5 has been made and payment has been refused.

WHEREFORE, Affiant makes this affidavit for the purpose of foreclosing his lien upon the above-described vehicle pursuant to O.C.G.A. 40-11-5, and prays that execution issue for _____ removal fee, _____ storage fee, _____ advertisement and other expenditures incurred in order to comply with O.C.G.A. 40-11, plus _____ a day future storage until the vehicle is sold at public auction, and all costs of Court, and be it further ordered that the remaining proceeds, if any, shall be turned over to the Clerk of Magistrate Court of Floyd County.

Affiant/Attorney/Agent

Sworn to, subscribed, and filed before me
this _____ day of _____, _____.

Clerk/Deputy Clerk/Notary Public