

**ABANDONED VEHICLE AFFIDAVIT
REMOVAL AT LAW ENFORCEMENT REQUEST**

I, _____, do hereby solemnly swear or affirm that the vehicle described as:
(Owner/Representative of Towing Company)

(Vehicle Identification Number) (Vehicle Year) (Make) (Model)
that was removed to and/or has been stored at: _____
(Location)

is an abandoned vehicle as defined in O.C.G.A. § 40-11-1(1), and has not been claimed by the owner, lessor, lessee or any holder of a security interest or lien.

I hereby further solemnly swear or affirm that, in following the procedure to foreclose on an abandoned vehicle lien on said vehicle, I have complied with the requirements of O.C.G.A. § 40-11-2 as evidenced by the following (check all that have been completed):

1. The owner of the vehicle or some person acting for the owner was present at the time of removal of the vehicle as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit A"; or Neither the owner of the vehicle nor some person acting for the owner was present at the time of the removal of the vehicle and within three (3) business days of the removal or storage of said vehicle, I requested the identity and address of all known owners of such vehicle from the law enforcement officer requesting removal of the vehicle or from a local law enforcement agency for the jurisdiction in which my business is located as evidenced by document(s) attached hereto and incorporated herein as "Exhibit A"; and,
2. On the date referenced on my attached Affidavit, I received the identity and address of all known owners of such vehicle from the law enforcement officer requesting removal of the vehicle or from a local law enforcement agency for the jurisdiction in which my business is located as evidenced by said Affidavit and document(s) attached hereto and incorporated herein as "Exhibit B"; and,
3. Using the information contained in Exhibit B, within seven (7) calendar days of the day such motor vehicle was removed or one (1) business day after the information was furnished to the remover or storer, whichever was later, I notified or attempted to notify by written acknowledgment signed there by or by certified or registered mail or statutory overnight delivery the owner, lessor, lessee, or any holder of a lien or security interest of said vehicle that said vehicle would be deemed abandoned at the expiration of thirty (30) days of the day such vehicle was removed as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit C"; and,
4. Within seven (7) calendar days of the date the vehicle was deemed abandoned in accordance with O.C.G.A. § 40-11-2(d), without said vehicle having been redeemed, I gave notice in writing to the Department of Revenue or applicable County Tag Agent (hereinafter referred to as the "Department") pursuant to the procedure set forth in O.C.G.A. § 40-11-2(e) and requested the name and address of all owners of such vehicle and/or I had knowledge of facts that would reasonably indicate that the vehicle was registered or titled in another state; therefore, I checked the motor vehicle records of that other state in an attempt to ascertain the identity of the owner as prescribed by O.C.G.A. § 40-11-2(e) as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit D"; and,
5. On the date referenced on my attached Affidavit, I received the names of all owners of such vehicle or the location of such vehicle as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit E"; and,
6. Within five (5) calendar days of having received the information requested in Exhibit E, I either (check which was completed):
 - a. Notified the owner, any lessee, and any holder of a lien or security interest of the location of the vehicle and the fact that the vehicle is deemed abandoned and will be disposed of if not redeemed by certified or registered mail or statutory overnight delivery as evidenced by the attached document(s) incorporated herein "Exhibit F"; or,
 - b. Placed an advertisement in a newspaper of general circulation in the county where such vehicle was obtained once a week for two (2) consecutive weeks as evidenced by my attached Affidavit or the Affidavit of the newspaper incorporated herein as "Exhibit F" because the identity of the owner could not be ascertained; or
 - c. Placed an advertisement at the county courthouse in such place where other public notices are posted for two (2) consecutive weeks as evidenced by my attached Affidavit incorporated herein as "Exhibit F" because the identity of the owner could not be ascertained and the aforementioned county does not have a newspaper of general circulation.
7. Pursuant to O.C.G.A. §§ 40-11-2 and 40-11-5, I have advised the owner(s) of their obligations and rights to redeem such vehicle and such owner, lessee or holder of a lien or security interest disclaimed their ownership or interest in such vehicle as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit G"; and,
8. I have made a demand for payment of \$_____ pursuant to O.C.G.A. § 40-11-5(3), which has been made without satisfaction, as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit H", without a timely filing of a petition for a judicial hearing and/or the identity of the owner cannot be ascertained.

Therefore, I am asking a court of competent jurisdiction to authorize the foreclosure of my lien and the sale of this motor vehicle.

(Signature of Owner/Representative of Towing Company)

(Address of Towing Company)

(City, State, Zip & County)

(Telephone Number Including Area Code)

(Date)

Sworn and Subscribed before me this:
_____ Day of _____, 20_____

(Notary Public's Signature & Notary Seal or Stamp)

(Date My Notary Commission Expires)

EXHIBIT B

**IN THE MAGISTRATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

_____)

_____)

_____)

Plaintiff(s),)

vs)

Civil Action No.: MGCV _____)

_____)

_____)

_____)

Defendant(s).)

AFFIDAVIT

Pursuant to O.C.G.A. §§ 40-11-2(a) and (e), this is to certify that I/Corporation received the identity and address of all known owners of such vehicle from the law enforcement officer requesting removal of the vehicle or from a local law enforcement agency for the jurisdiction in which my business is located on the _____ day of _____, 20____,

Under penalty of perjury, signed this _____ day of _____, 20____.

Sworn to and subscribed before me
this ____ day of _____, 20____.

Plaintiff

Deputy Clerk/Notary Public

Printed Name

EXHIBIT E

**IN THE MAGISTRATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

_____)
_____)
_____)
_____)
Plaintiff(s),)
vs) Civil Action No.: MGCV _____
_____)
_____)
_____)
Defendant(s).)

AFFIDAVIT

Pursuant to O.C.G.A. §40-11-2(e), this is to certify that I/Corporation received the identity of the owner or owners of such vehicle from the Georgia Department of Revenue, other State Agency, or applicable County Tag Agent on the _____ day of _____, 20____.

Under penalty of perjury, signed this _____ day of _____, 20____.

Sworn to and subscribed before me
this ____ day of _____, 20____.

Plaintiff

Deputy Clerk/Notary Public

Printed Name

**IN THE MAGISTRATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

)	
)	
)	
)	
Plaintiff(s),)	
)	
vs)	Civil Action No.: MGCV _____
)	
)	
)	
)	
)	
Defendant(s).)	

DESIGNATION OF AGENT FOR BUSINESS ENTITY

Pursuant to O.C.G.A. § 15-10-43(i) and Uniform Magistrate Court Rule 31, this is to certify that _____ is a full-time employee or officer of the above-named corporation, limited liability company, sole partnership, partnership, unincorporated association or other legal entity. I have been designated by said business to represent it in the above-styled civil action. I have the authority to act of on its behalf and to bind it in the same manner as myself to any and all matters related to this case.

Under penalty of perjury, signed this _____ day of _____, 20____.

Sworn to and subscribed before me
this ____ day of _____, 20____.

Deputy Clerk/Notary Public

Signature

Printed Name

Address

Phone Number

Email Address