

**ABANDONED VEHICLE AFFIDAVIT
REMOVAL AT PRIVATE PROPERTY OWNER'S REQUEST**

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

described as: _____
(Vehicle Identification Number) (Vehicle Year) (Make) (Model)

was removed from _____ at the request of the owner of the
(Address of private property including city, state, & zip)

forementioned private property and has been stored at _____,
(Location)

is an abandoned vehicle as described in O.C.G.A. § 40-11-1.1, is determined not to be a stolen vehicle, 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:

1. Neither the owner of the vehicle nor some person acting for the owner was present at the time of the removal of the vehicle. Within three (3) business days of the removal or storage of said vehicle, I notified in writing a local law enforcement agency of the location of the vehicle, of the manufacturer's vehicle identification number, license number, model, year, and make of the vehicle and I requested the identity and address of all known owners of such vehicle and any information indicating that such vehicle is a stolen motor vehicle from the 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 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, through certified or registered mail or statutory overnight delivery, 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 storage, whichever is later, I notified or attempted to notify by written acknowledgement signed thereby 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 date such vehicle was removed as evidenced by the documents 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 the attempt to ascertain the identity of the owner as prescribed by O.C.G.A. § 40-11-2(e) and 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 as evidenced by said Affidavit and 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 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 document(s) attached hereto and incorporated herein as "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 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 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(s), lessee, lessor 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 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

