

PROCESS FOR FILING ABANDONED MOTOR VEHICLE WITH MAGISTRATE COURT

Notify any known owner(s) and/or lien holders via certified return receipt mail regarding the bill and that you intend to proceed with the abandoned motor vehicle process if they fail to pay the bill.

If you are not aware of any owners and/or lien holders, contact local law enforcement to have the VIN run. This will allow you to establish any owners and/or lien holders in order to notify them via certified return receipt mail.

If the parties fail to respond to this first request, then proceed with the abandoned motor vehicle process with the proper state. For the state of Georgia send a MV-603 (notice of abandoned vehicle & request for information) with \$2.00 fee to the local tag office or mail to:

Department of Revenue/Motor Vehicle Division
ATTN: Research/Abandoned Vehicles
PO Box 740381
Atlanta, GA 30374-0381

Mail a copy of form letter sent to you from the state to all owner(s) and lien holders(s) if any via certified mail returned receipt requested.

After mailing if green cards are signed you have to wait 10 days before coming into the court.

Bring into Magistrate Court: \$10.00 filing fee, your research information from the state, form letter from state sent to all parties, green card(s), copy of invoice, abandoned vehicle affidavit (MV-603A), green card(s) from first notice sent to owners(s).

Court will prepare order if all the above are in proper order.

For more information you can visit <http://motor.etax.dor.ga.gov>.

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

	*	
Plaintiff / Lien Claimant,	*	
	*	
Motor Vehicle,	*	
	*	
Vehicle Identification Number	*	
	*	
	*	
	*	Civil Action
	*	No. _____
	*	
	*	AFFIDAVIT FOR FORECLOSURE OF LIEN AGAINST ABANDONED MOTOR VEHICLE
	*	
	*	
	*	

**Personally appeared before the undersigned officer, duly authorized to administer oaths,
_____ , who, being duly sworn, and deposes and states as follows:**

- (1) I am over 18 years of age, competent to make this affidavit and do so based upon my personal knowledge. I make this affidavit in support of the claim by _____ (self and/or Company) for foreclosure upon the above described motor vehicle.
- (2) The Plaintiff is in possession of the above described motor vehicle. The vehicle was impounded at the request of:

<input type="checkbox"/> private individual	<input type="checkbox"/> city officer/official
<input type="checkbox"/> county officer/official	<input type="checkbox"/> Georgia State Patrol
- (3) The Plaintiff has complied with the provisions of O.C.G.A. § 40-11-2, by completing the following statutory requirements:

Event	Deadline	Date Completed
Vehicle Towed	N/A	
Owner information requested from law enforcement per O.C.G.A. § 40-11-2(a)(b)	Within 3 business days of removal	
First notice to all known owners per O.C.G.A. § 40-11-2(d). (Vehicle to become abandoned if not redeemed within 30 days, and include summary charges, including daily storage rate)	Within 7 calendar days of removal of vehicle (unless Sat., Sun., or legal holiday), OR within 1 business day after the information is furnished by law enforcement. WHICHEVER IS LATER	
MV-603. Notice of Abandoned Motor Vehicle Request owner Information. Request filed within 7 calendar days vehicle becomes abandoned O.C.G.A. § 40-11-2(e)	Within 7 calendar days of the 30 day deadline from date vehicle removed. Date Vehicle Became Abandoned _____ (Date)	
Information received from DMVS or Tax Commissioner	No deadline applicable.	

<p>Notice(s) to Owner by Certified or Registered Mail or statutory overnight delivery of vehicle location and the fact that vehicle is deemed abandoned and shall be disposed of if not redeemed. O.C.G.A. § 40-11-2(f)</p> <p>Demand must be by form prescribed by Dept. of Motor Vehicles</p>	<p>Within 5 calendar days of receipt of DMV info, excluding Sat., Sun. & legal holidays.</p>	
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- (4) This affidavit is filed with the court within one year from the recording of a lien on the vehicle with the Department of Motor Vehicle Safety, or within one year of retention of the vehicle from date vehicle removed/retained.
- (5) **IF THE OWNER IS UNKNOWN:** Attached hereto is a true and correct copy of the publication and/or notice that was published or posted in the Courthouse for the period of time as required by law.
- (6) **IF THE OWNER IS KNOWN:** Attached hereto is a true and correct copy of the following:
- a. Notice(s), on required DMVS form, sent to known owners, and/or
 - b. The return of service (green card) or other proof of mailing, and/or
 - c. The notices published in the newspaper or at the Courthouse.
- (7) Affiant deposes and states that the above described vehicle has not been redeemed at the time this affidavit was filed and affiant further has no knowledge of any request for hearing by any owner filed or pending in any court of competent jurisdiction.
- (8) WHEREFORE, Plaintiff makes this affidavit for the purpose of foreclosing the lien upon the above described vehicle and prays that execution issue for:

Removal / Impound Fee	\$ _____
Accrued Storage Fee	\$ _____ (_____ days @ \$ _____ / day)
Administrative Fee	\$ _____
Advertising & Notification Fee	\$ _____
Court Costs	\$ _____
TOTAL	\$ _____

Plaintiff Agent for Plaintiff

Signature

Sworn and subscribed before me this _____ day of _____, 200____.

Print name

Address: _____

Clerk / Deputy Clerk of Court / Notary Public

Phone: _____

Attorney Bar #, if applicable: _____

