

FORECLOSURE OF PERSONAL PROPERTY
STATE COURT OF FULTON COUNTY
FULTON COUNTY, GEORGIA

 (Plaintiff's Name & Address)

 VS.

 (Defendant's Name & Address)

AFFIDAVIT

Personally appeared _____ whose address is _____, who on oath says that he (she) is the _____ Agent _____ Attorney-at-Law for _____, Plaintiff herein, and is authorized to make this affidavit, and states that the Defendant whose address is _____

_____ is indebted to said Plaintiff in the principal amount of \$ _____ together with interest in the amount of \$ _____ thereon, upon a (seceurity Agreement/Contract retaining Title) and who on oath says that the original thereof, or a true copy of same, is attached hereto and made a part hereof, and that said indebtedness is past due, and that the Defendant is either now a resident of Fulton County, Georgia, or was a resident thereof at the date said writing was executed, and that this affidavit is made for the purpose of foreclosing said writing, obtaining a writ of possession for the property described therein.

(If Affiant alleges that the security interest at issue arose out of a "commercial transaction" as defined by O.C.G.A. 44-14-260, as amended, and that the Defendant has waived some or all rights as defined in O.C.G.A. 44-14-260, et. seq., a copy of such waiver shall be attached hereto and such attachment shall be constructed as an allegation, under oath, of such waiver.)

Sworn to and subscribed before me.

this _____, day of _____, 19 _____

PRINCIPAL _____

 AFFIANT/AGENT NAME AND ADDRESS

INTEREST _____

ATTY FEE _____

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

The Defendant(s) is (are) hereby commanded and required personally or by attorney to file with the clerk of the State Court of Fulton County in TG 300, Justice Center Tower, 185 Central Ave., S.W., Atlanta, Georgia within seven days from the date of service of the within affidavit and summons, or on the first business day thereafter if the seventh day falls on a Saturday, a Sunday or a legal holiday, then and there to answer said affidavit in writing or orally. If the defendant fails to answer on or before the seventh day from the date of service, the defendant may reopen the default as a matter of right by making an answer within seven days after the date of the default notwithstanding the provision of O.C.G.A. 9-11-55. If the seventh day is Saturday, a Sunday, or a legal holiday, the answer may be made on the next day which is not a Saturday, Sunday, or legal holiday. The last possible date on which the defendant may answer is the _____ day of _____, 19 _____. If answer is not so made, a writ of possession shall issue against you as by law provided, pursuant to plaintiff's affidavit.

WITNESS THE HONORABLE ALBERT L. THOMPSON, CHIEF JUDGE OF SAID COURT.

The above Affidavit was sworn to and subscribed before the undersigned Deputy Clerk by the Affiant as provided by the Official Code of Georgia 44-14-231 and Summons issued pursuant thereto.

This _____ day of _____, 19 _____

 Deputy Clerk
 State Court of Fulton County

Service perfected on
 defendant, this _____
 day of _____, 19 _____

 Deputy Marshal