

**FORECLOSURE OF PERSONAL PROPERTY**

**STATE COURT OF FULTON COUNTY**

185 Central Avenue, SW  
TG400  
Atlanta, Georgia 30303

**DO NOT WRITE IN THIS SPACE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff's Name & Address

VS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant's Name & Address

**AFFIDAVIT**

Personally appeared \_\_\_\_\_ whose address is \_\_\_\_\_,  
\_\_\_\_\_, GA, \_\_\_\_\_, 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 \_\_\_\_\_

\_\_\_\_\_, GA, \_\_\_\_\_ is indebted to said Plaintiff in the principal amount of \$ \_\_\_\_\_ together with  
interest in the amount of \$ \_\_\_\_\_ thereon, upon a (Security 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 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 fore closing 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 \_\_\_\_\_, 2\_\_\_\_\_.

**PRINCIPAL** \$ \_\_\_\_\_

**INTEREST** \$ \_\_\_\_\_

**ATTORNEY FEE** \$ \_\_\_\_\_

\_\_\_\_\_  
Affiant/Agent Name and Address

**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 State Court of Fulton County in  
TG300, Justice Center Tower, 185 Central Avenue SW, Atlanta, Georgia 30303 within SEVEN (7) days from the date of service of the within  
affidavit and summons, or on the first (1st) business day thereafter if the SEVENTH (7th) day falls on a Saturday, Sunday or legal holiday, then and  
there to answer said affidavit in writing. If the defendant fails to answer on or before the SEVENTH (7th) day from the date of service, the  
defendant may reopen the default as a matter of right by making an answer within SEVEN (7) days after the dated of the default notwithstanding  
the provision of O.C.G.A. 9-11-55. If the SEVENTH (7th) day falls on a Saturday, Sunday or legal holiday, the answer maybe 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  
\_\_\_\_\_, 2\_\_\_\_\_. If the 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 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 O.C.G.A 44-14-231 and  
Summons issued pursuant thereto, this the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk, State Court of Fulton County

**SERVICE**

Service Perfected on defendant, this the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Deputy Marshal, Fulton County