

STATE OF GEORGIA
COUNTY OF FULTON

Date of Sale: _____

AFFIDAVIT IN SUPPORT OF CLAIM FOR EXCESS FUNDS

Before me, the undersigned officer (Notary Public), duly authorized to administer oaths,

Appeared _____ on behalf of _____, who, after being sworn, deposes and states under oath as follows:

- 1) I give this oath of my own free will, and I understand that I am sworn to state the truth. I am over the age of 21, years, and I am authorized to swear to the matters stated herein.
- 2) This Affidavit is being given for presentation to the City of Fairburn, Georgia in support of my Claim for Excess Funds received by the City as a result of the above-referenced Tax Sale. The real property which was sold, and which is the subject of this Claim is described as follows: (hereinafter referred to as "Property")

Property Address: _____

Tax Parcel ID No.: _____

- 3) The Claimant is the Owner or Lien holder identified below.

COMPLETE EITHER 4 OR 5 (DO NOT COMPLETE BOTH)

- 4A) With respect to the Property, I am the _____ (insert "Owner" or "owner's Representative") against whom the Sale was conducted. I may be reached as follows:

Name: _____
Address: _____

Phone: _____

- 4B) In support of this claim I have included photo identification as the owner, or as the owner's representative I have included the owner's photo identification, a Power of Attorney, a valid telephone number of the owner and a letter stating that I have the authority to claim the funds on behalf of the owner.

- 5A) With respect to the Property, I am the **LIEN HOLDER'S REPRESENTATIVE** (insert "Lien holder" or "Lien holder's Representative"). I may be reached as follows:

Name: _____
Address: _____

Phone: _____

- 5B) The lien holder is owed \$_____ in Excess Funds as of the time of the sale and included in support of this claim is the deed creating the debt. As the lien holder's representative I have included a Power of Attorney from the lien holder which contains the title of the officer granting it, valid telephone number and a letter on the company's letterhead giving the authority to collect the excess on behalf of the lien holder.
- 6) The Claimant **Has / Has Not (Circle One)** redeemed the Property from the Purchaser at the Tax Sale.
- 7) The Claimant is the Owner or Lien holder authorized to receive the Excess Funds from the Tax Sale pursuant to O.C.G.A 48-4-5.
- 8) There is no unsatisfied and outstanding lien, tax lien mortgage, deed to secure debt, promise, pledge, security, encumbrance, obligation, or other claim or entitlement of any type, kind or description whatsoever against the Property or the Excess Funds which is senior to or of greater legal priority than the Claimant's right to receive the Excess Funds.
- 9) The Claimant has not transferred, conveyed, assigned, sold or otherwise obligated or encumbered the Claimant's interest in the Excess Funds.
- 10) There is no lawsuit, garnishment, bankruptcy, or other judicial or quasi-judicial proceeding pending either against the Claimant or on the Claimant's behalf regarding this Claim in the Excess Funds.
- 11) Deleted.
- 12) Deleted.
- 13) **The Claimant understands that false swearing is punishable as a felony under the laws of the State of Georgia, and that this Affidavit is a sworn statement.**
- 14) The Claimant understands that no legal advice is being provided by any representative of the City of Fairburn, Georgia. The Claimant has the right to seek legal advice from private counsel.

This Affidavit is made this _____ day of _____, 20_____.

By: _____
Signature

Printed Name

On Behalf of: _____

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

Notary Public
My commission expires:_____

**STATE OF GEORGIA
COUNTY OF FULTON**

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Before me, the undersigned officer (Notary Public), duly authorized to administer oaths,

Appeared _____ on behalf of _____, who, after being sworn, deposes and states under oath as follows:

- 1) I give these assurances of my own free will, and I understand that I am binding the Claimant and that the Claimant is so bound. I am over the age of 21 years, and I am authorized to swear to the matters stated herein, and to grant the assurances herein given.
- 2) This Indemnification is being given for presentation to the City of Fairburn, Georgia in support of my Claim for Excess Funds received by the City as a result of the above-referenced Tax Sale. The real property which was sold, and which is the subject of this Claim is described as follows: (hereinafter referred to as "Property")

Property Address: _____

Tax Parcel ID No.: _____

- 3) The Claimant is the Owner or Lien holder identified in the Affidavit in Support for Excess Funds, which Affidavit has been submitted contemporaneously with the submission of this Indemnification.
- 4) As further inducement for the disbursement of the Excess Funds, the Claimant will indemnify and hold harmless the City of Fairburn, Georgia as well as its officers, officials, employees, agents, representatives, successors, and assigns, from any and all claims, whether in law, equity, or otherwise, of whatever description, which may arise from the disbursement of the Excess Funds to the Claimant.

This Affidavit is made this _____ day of _____, 20____.

By: _____
Signature

Printed Name

On Behalf of: _____

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

Notary Public
My commission expires: _____