

ABANDONED VESSEL AFFADAVIT

I, _____, do hereby solemnly swear or affirm under the penalties of perjury as follows:

The vessel described as:

Certificate Number: _____

Hull Identification Number: _____

Make & Model: _____

Year: _____

was removed to and or has been stored at: _____

_____ ; the vessel is an abandoned vessel as defined in O.C.G.A. § 52-7-70; and the vessel has not been claimed or redeemed 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 vessel lien on said vessel, I have complied with the requirements of O.C.G.A. §§ 52-7-71 and 52-7-74 as evidenced by the following:

1. Within 72 hours of the removal or storage of said vessel at the request of law enforcement from public property or from public waters, I requested of law enforcement the identity and address of the last known registered owner.
2. Within 72 hours of the removal or storage of said vessel at the request of property owner from private property or from private water, I notified in writing local law enforcement of the location, the certificate number, the hull identification number, the model, the year, and the make of the vessel, and requested from local law enforcement the identity and address of last known registered owner and if stolen.
3. If the owner is known, I notified the owner within seven (7) days of removal by certified, registered, or overnight delivery giving owner the location of the vessel, fees connected with removal and storage, and that vessel was deemed abandoned unless redeemed within thirty (30) days of removal.

4. That the owner failed to redeem the vessel, and that I did give notice, within seven (7) days after the vessel was abandoned, to the Georgia Department of Natural Resources stating the certificate number, hull identification number, model, year, make, if known, of the vessel and the date of abandonment, the date of removal, and the present location of the vessel.

5. I did request of the Georgia Department of Natural the name and address of all owners, lessors, lessees, security interest holders, and lienholders of said vessel.

6. If the vessel is registered in another state, I checked the records of that other state to identify the owner.

7. If I became aware of the identity of the owner of said vessel, I did within five (5) calendar days, and by certified, registered, or overnight mail notify any owner, lessor, lessee, security interest holder; and lienholder of the location of the vessel, that the vessel was deemed abandoned, and that the vessel will be disposed of if not redeemed.

8. If the owner could not be ascertained, I did cause an advertisement to be placed in the county's legal organ for two (2) consecutive weeks containing a complete description of the vessel, the certificate and hull identification number of the vessel, the location where removed, the present location of the vessel, that the vessel was deemed to be abandoned, and that the vessel was going to be disposed of if not redeemed.

9. If the owner could not be ascertained, I did cause notice to be posted for two (2) consecutive weeks at the county courthouse where such public notices are posted.

10. I did notify the Georgia Department of Natural Resources within seven (7) days if the vessel was recovered by its owner, was claimed by the owner, was determined to be stolen, and for any other reason the vessel is no longer abandoned.

11. I have made demand of the owner, if known, for the reasonable fees for removal and storage, plus any cost of advertisement, and that demand was made by certified, registered, or overnight mail. All fees and charges were itemized.

12. Said demand has been made without satisfaction, as evidenced by the document(s) attached hereto and incorporated herein, without a timely filing of a petition for a judicial hearing.

The foregoing information presented in this affidavit is true and correct to the best of my knowledge, information, and belief.

Therefore, I respectfully ask this Court to issue and order authorizing the foreclosure of my lien and the sale of this vessel.

(x) _____
Signature

Printed Name

Address

City State Zip

Sworn to and subscribed before me, a notary public in and for the State of _____, County of _____, by the above-named individual who is personally known to me or has proven his or her identity to me.

Notary Public

My Commission Expires: _____

The Court may, in its discretion, enter judgment foreclosing the above-asserted lien based on this affidavit and without a hearing if all the required documents are attached to support each paragraph of the foregoing affidavit. An unsupported or partially supported affidavit might be set for a hearing before the Court to determine whether all the requirements for lien foreclosure have been met.