

**FORECLOSURE OF PERSONAL PROPERTY**

**MAGISTRATE COURT OF CLAYTON COUNTY**

**GEORGIA, CLAYTON COUNTY**

Personally appeared \_\_\_\_\_ who, on oath says that he/she is Agent-Attorney at Law) for \_\_\_\_\_ Plaintiff herein, and is authorized to make this affidavit, and that \_\_\_\_\_ Defendant herein, whose address is \_\_\_\_\_ is indebted to said Plaintiff in the principal amount of \$ \_\_\_\_\_ Dollars and \$ \_\_\_\_\_ interest thereon, upon a (Mortgage-Bill of Sale to Secure Debt-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 said State and County or was a resident of said State and County at the date said instrument was executed, and this affidavit is made for the purpose of foreclosing said writing, obtaining a writ of possession for the property described therein and having judgment entered for the amount of the aforesaid indebtedness together with interest thereon and all costs of these proceedings.

(If Affiant alleges that the security interest at issue arose out of a "commercial claim" as defined by O.C.G.A. 44-14-237, as amended, and that the Defendant has waived same or all of the rights and provisions contained in O.C.G.A. 44-14-230 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 \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public/Deputy Clerk

\_\_\_\_\_  
Affiant.

**SUMMONS**

**GEORGIA, CLAYTON COUNTY:**

Case Number \_\_\_\_\_

\_\_\_\_\_ Plaintiff

v.

\_\_\_\_\_ Defendant

The defendant named herein is hereby commanded and required personally or by attorney to answer either orally or in writing within seven (7) days from the date of actual service unless the seventh day is a Saturday, a Sunday, or a legal holiday, in which case the answer may be made on the next day which is not a Saturday, a Sunday, or a legal holiday. Should the Defendant desire to answer said affidavit he/she may file said answer orally or in writing at the office of the Clerk of the Magistrate Court of Clayton County, 9151 Tara Blvd., Jonesboro, Georgia. If such answer is not made on or before the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, a writ of possession shall be issued as provided by law, and judgment shall be granted as prayed for by plaintiff herein named.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Clerk, Magistrate Court of Clayton County