

AFFIDAVIT IN SUPPORT OF CLAIM FOR EXCESS TAX SALE PROCEEDS

COMES NOW the undersigned affiant 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) The Claimant is the Owner or Lien Holder identified below.
- 3) This Affidavit is being given for presentation to Glynn County, Georgia, and the Tax Commissioner of Glynn County, Georgia in support of my Claim for Excess Funds received by the Tax Commissioner as a result of the tax sale described below. The real property (hereinafter referred to as "Property") which was sold, and which is the subject of this Claim is described as follows:

Parcel I.D. Number: _____

Property Address: _____

- 4) On ___ date _____, the Property was sold at a tax sale by the Tax Commissioner and Ex Officio Sheriff of Glynn County to _____.
- 5) The sale of the Property brought a bid in excess of the taxes owed and costs incurred. The amount of the Excess Funds is _____ .
- 6) Affiant deposes and warrants:

_____ that he or she is the Defendant in Fi Fa and was the record owner at the time of the sale; OR

_____ that he or she is the holder of a lien or secured interest in the referenced property and said lien or secured interest is in the principal amount of _____ with an additional amount of _____ for interest and costs and that the lien is recorded in _____, page _____, of the property records of the Superior Court of Glynn County; OR

_____ that he or she is the authorized representative of the holder of a lien or secured interest in the referenced property and said lien or secured interest is in the principal amount of _____ with an additional amount of _____ for interest and costs and that the lien is recorded in _____, page _____, of the property records of the Superior Court of Glynn County. 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, a valid telephone number and a letter on the company's letter head giving me the authority to collect the Excess Funds on behalf of the lien holder.

- 7) 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.
- 8) The Claimant has not transferred, conveyed, assigned, sold or otherwise obligated or encumbered the Claimant's interest in the Excess Funds.
- 9) 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 to the Excess Funds.
- 10) If requested to do so (and I understand that I may be requested to do so), in furtherance of this claim, I will provide Glynn County and the Tax Commissioner a current Certificate of Title for the Property.
- 11) The Owner/Lien Holder understands that the Excess Funds being held by Glynn County are equal to the total amount tendered at the Tax Sale, less taxes owed, applicable costs of making the Sale, all other expenses of the Sale and all other verifiable liens. The Claimant also understands that the Excess Funds will first be applied to any ad valorem taxes which accrued prior to the date of the tax sale and which are due and owing by the Claimant at the time of the disbursement.
- 11) **THE CLAIMANT UNDERSTANDS AND ACKNOWLEDGES THAT FALSE SWEARING IS PUNISHABLE AS A FELONY UNDER THE LAWS OF THE STATE OF GEORGIA, AND THAT THIS AFFIDAVIT IS A SWORN STATEMENT.**
- 12) **THE CLAIMANT UNDERSTANDS THAT NO LEGAL ADVICE IS BEING PROVIDED BY ANY REPRESENTATIVE OF THE TAX COMMISSIONER OR GLYNN COUNTY. THE CLAIMANT HAS THE RIGHT TO SEEK LEGAL ADVICE FROM PRIVATE COUNSEL.**

NOW, therefore, affiant makes claim of \$_____ and demands that all excess monies available after paying the taxes and costs of making the sale, and after paying superior claims for the bid excess, be immediately paid over to him pursuant to O.C.G.A. § 48-4-5, up to that claim amount.

I swear or affirm the above is complete and correct to the best of my knowledge and belief this ___ day of _____, 2020.

_____, Affiant

(Print Name)

Title:

Address:

Telephone Number

Sworn to and subscribed before me
this ____ day of _____, 2020.

Notary Public