

MAGISTRATE COURT OF _____ COUNTY, GEORGIA

Date Filed _____

Case No: _____

Plaintiff

**MECHANIC'S LIEN
AFFIDAVIT FOR FORECLOSURE**

Vs.

(Motor Vehicle)

(Vehicle Identification Number)

(Tag Number)

Personally appeared _____, who being duly sworn, before the undersigned officer, duly authorized to administer oaths, deposes and states as follows:

The name(s) and address(s) of the last known registered owner(s) and/or all lien holder(s) of the vehicle is/are:

Name **Address** **(Owner, Lien holder, ext)**

Name **Address** **(Owner, Lien holder, ext)**

Name **Address** **(Owner, Lien holder, ext)**

1. The Plaintiff is a mechanic and is employed by or owner of _____.
 2. The owner/debtor is indebted to Plaintiff for work done, or for work done and materials furnished, or for materials furnished in repairing or servicing said vehicle in the amount of \$_____.
 3. The Plaintiff has made demand to said owner for amount claimed due and said owner has refused to pay owner amount due.
- [] Owner/debtor has made written demand contesting the validity of the amount claimed to be due, therefore Plaintiff institutes foreclosure proceedings within ten days where possession has been retained, or within 30 days where possession has been surrendered.
- [] Has asserted a lien on the above stated vehicle by retention of said vehicle for work done, or for work done and materials furnished, or for materials furnished in repairing or servicing said vehicle, (O.C.G.A. 40-3-54) ; Therefore, Plaintiff institutes foreclosure proceedings within one year of retention or by recording lien as provided in (O.C.G.A. 40-3-53).
- [] Has perfected a lien by recording as provided in O.C.G.A. 40-3-53.

Has asserted a lien by surrendering the vehicle, giving credit, and foreclosing the lien claim in the manner provided in O.C.G.A. 40-3-54

WHEREFORE, Plaintiff makes this affidavit for the purpose of foreclosing the lien upon the above described vehicle and prays that execution issue for:

Amount due for work done \$ _____

Amount due for work done and materials furnished \$ _____

Amount due for materials furnished in repairing or servicing \$ _____

Court Costs \$ _____

Total due \$ _____

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

 Plaintiff Agent of Plaintiff

Address

Clerk of Court/Notary Public

Telephone No.: _____

MAGISTRATE COURT OF _____ COUNTY, GEORGIA

Date Filed _____

Case No: _____

Plaintiff

**MECHANIC'S LIEN
NOTICE TO FORCLOSE LIEN**

Vs.

(Motor Vehicle)

(Vehicle Identification Number)

(Tag Number)

TO:

The name(s) and address(s) of the last known registered owner(s) and/or all lien holder(s) of the vehicle is/are:

Name **Address** **(Owner, Lien holder, ext)**

Name **Address** **(Owner, Lien holder, ext)**

Name **Address** **(Owner, Lien holder, ext)**

In accordance with Georgia Law, O.C.G.A. 40-3-54, you are hereby notified that the above stated Plaintiff has filled an affidavit to foreclose the mechanic's lien on the above stated vehicle. You are hereby notified that you have a right to a hearing to determine if reasonable cause exists to believe that a valid debt exists, and that such hearing must be petitioned for within five days after receipt of the notice. If no petition for such hearing is filed within the time allowed, the lien will conclusively be deemed a valid one and foreclosure thereof allowed.

I _____, owner,/ lien holder, do hereby petition this court for a probable cause hearing to show the Court the following:

Owner/Lien holder

Address

Phone # _____

MAGISTRATE COURT OF _____ COUNTY, GEORGIA

Date Filed _____

Case No: _____

Plaintiff

Vs.

**MECHANIC'S LIEN
ORDER**

(Motor Vehicle)

(Vehicle Identification Number)

(Tag Number)

Notice of affidavit to foreclose lien having been sent to owner, recorded lienholders, security interest holders, or lessee, and no petition for probable cause hearing having been filed;
IT IS HEREBY ORDERED AND AJUDGED, that Plaintiff's lien in this case is deemed a valid one and foreclosure is therefore allowed.

A petition having been filed for a probable cause hearing, and the Court having determined that reasonable cause exists to believe that a valid debt exists;
IT IS HEREBY ORDERED AND AJUDGED, Plaintiff retain possession of vehicle, Court shall obtain possession of the vehicle, owner/debtor may retain possession of the vehicle by giving bond and security in the amount determined to be probably due and the costs of the action, \$_____.

A petition for a full hearing on the validity of the debt having been filed within five days of the probable cause hearing, and a hearing having been held;
IT IS HEREBY ORDERED AND AJUDGED, Plaintiff's lien in this case is deemed a valid one and foreclosure it therefore allowed, and sale of the stated vehicle is authorized, debt has been paid and satisfied, therefore vehicle shall be returned over to _____, the owner, lien holder, security interest holder, or lessee, Actions taken by mechanic in retaining or seeking possession of the vehicle were not taken in good faith, therefore The Court awards _____, the owner, lien holder, security interest holder, or lessee, damages in the amount of \$_____, and possession of said vehicle.

SO ORDERED THIS ____ DAY OF _____, 20__.

Judge _____ County Magistrate Court