

TROUP COUNTY TAX COMMISSIONERS OFFICE

SHANE FRAILEY



100 RIDLEY AVENUE ♦ LAGRANGE, GEORGIA 30240
Phone (706) 883-1620 ♦ Fax (706) 883-1606

INSTRUCTIONS FOR CLAIM REQUEST

To Whom It May Concern:

O.C.G.A. §48-4-5(b) authorizes the Troup County Tax Commissioner to file, when deemed necessary, an interpleader action in superior court for the payment of excess funds. It is the policy of the Troup County Tax Commissioner to file interpleader actions when substantial sums are being held unless the following requirements are satisfied by the requesting party:

1. The requesting party must provide a current Attorney's Certificate of Title to the Troup County Tax Commissioner identifying the owner(s) of record as well as all persons and parties holding interests of record in the property. The title certificate must be issued by an attorney licensed to practice in Georgia. The attorney issuing the title certificate shall provide a copy of the declaration page of the attorney's E&O policy evidencing coverage in an amount and form acceptable to the Troup County Tax Commissioner.
2. The provided Attorney's Certificate of Title must establish to the satisfaction of the Troup County Tax Commissioner that there are no competing interests in and to the requested funds.
3. The requesting party must execute an affidavit, indemnification and hold harmless agreement as provided by the Troup County Tax Commissioner.

Requests requiring the filing of an interpleader action will be referred to the county attorney, and costs and reasonable attorney's fees will be assessed against the escrow funds as allowed by O.C.G.A. §48-4-5. Requests for release of excess funds without filing of an interpleader action are considered on a case-by-case basis after receipt of the required title certificate.

Thank You

Troup County Tax Commissioner's Office
Elaine Barintine
Delinquent Tax Collections

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REQUEST FOR TAX SALE ESCROW FUNDS

PROPERTY:

Tax Sale Date: _____

Parcel Number: _____

AMOUNT OF PROCEEDS HELD IN ESCROW: \$ _____

REQUEST FOR SURPLUS PROCEEDS:

_____ Hereby request(s) that the Troup County Tax Commissioner release the tax sale escrow funds in the amount of \$ _____ arising from the tax sale of the above-referenced property on _____ (date).

AUTHORITY TO RECEIVE SURPLUS TAX SALE PROCEEDS:

_____ hereby certifies TO Shane Frailey, Troup County Tax Commissioner, that said party (parties) is (are) lawfully entitled to receive the tax sale escrow funds requested herein because said party (parties) was (were) the record owner(s) of the property at the time of the above-referenced tax sale.

INDEMNITY, HOLD HARMLESS, AND WAIVER:

_____ Shall indemnify and hold Troup County, Georgia, Shane Frailey, Troup County Tax Commissioner, and their agents and employees harmless from and against any and all losses, claims, liability, damages, costs and expenses of every type whatsoever including without limitation, attorneys fees and expenses, in connection with and arising out of the Troup County Tax Commissioner's release of the above described funds. This indemnity shall apply to all losses, claims, liability, damages, costs and expenses relating to the tax sale escrow funds herein described and hereby released, whether asserted by Third parties or any other person or entity whomsoever.

_____ hereby waives, relinquishes, releases, and covenants not to assert any and all claims against Troup, County, Georgia, Shane Frailey, Troup County Tax Commissioner, and their agents and/or employees which now exist or may arise as a result of the tax sale of the above described property or the release of the escrow funds from said tax sale.

This _____ day of _____, _____ 2022 .

By: _____

Signed, sealed and delivered

This _____, day of _____, 2022,

In the presence of:

Notary Public/My Commission Expires _____