

# Information

## Effective date

July 29, 2005

## Use

The *Residential Deed to Secure Debt and Security Agreement – Georgia* (Form 630323) may be used when taking a first, second, or other subordinate Deed to Secure Debt (DSD) on a single family residence, a duplex, or a condominium unit located in the state of Georgia.

**Note:** This form should **not** be used for:

- commercial real property or multi-family residences (other than a duplex),
- loans secured by apartment buildings,
- construction loans, or
- home equity lines of credit.

## Instructions

The table below shows section names and descriptions for the items required in the Residential Deed to Secure Debt and Security Agreement – Georgia (Form 630323).

Section	Description
<b>Page 1</b>	
Address (Heading implied)	<i>CCSC address.</i>
<b>County of</b>	<i>County</i> in which the Residential Deed to Secure Debt and Security Agreement <b>is being executed.</b>
<b>as of</b>	<i>Date</i> that the DSD is being executed.
<b>by and between</b>	<i>Names of all of the Owners</i> of the real property.  <b>Notes:</b> <ul style="list-style-type: none"><li>• The name entered in this space is the name of the Owner <b>exactly</b> as the name is shown on the deed through which the Owner took title to the subject real property.</li><li>• If an attorney is preparing the documentation and closing the loan for the Bank, then it will be the responsibility of the attorney to ascertain the proper name to enter in this space.</li><li>• If the Loan officer is preparing the documentation and closing the loan, then it will be necessary for the Loan Officer to determine the proper name to enter in this space.</li><li>• The name of the Owner should be the exact name as shown on the title search or attorney's opinion relative to the subject real property.</li><li>• If for any reason a title search or attorney's opinion is not being obtained, then the name of the Owner should be the exact name that appears on the deed (usually a warranty deed) through which the Owner took title.</li></ul>
<b>Page 2</b>	
<b>dated</b>	<i>Date</i> of the secured promissory note.
<b>executed by</b>	<i>Name</i> of each Borrower of the secured promissory note.  <b>Notes:</b>

Section	Description
	<ul style="list-style-type: none"> <li>Name should be exactly as it appears on the promissory note.</li> <li>If any maker of the promissory note is also an Owner of the real property covered by the DSD (and will therefore also be signing the DSD), then the name used on the promissory note should be the exact same name used on the DSD.</li> <li>If the obligation which is to be secured by the DSD is not a promissory note (such as a Guaranty or other contractual obligation to the Bank), consult a Bank attorney to discuss the proper description of the secured obligation.</li> </ul>
<b>amount of</b>	<i>Original principal amount</i> of the secured promissory note (written and numeric).
<b>final maturity date</b>	<i>Final maturity date</i> of the secured promissory note.  <b>Notes:</b> <ul style="list-style-type: none"> <li>If any part of the principal of the secured promissory note falls due in more than three (3) years, then it will be necessary to pay the intangible recording tax.</li> <li>Since the intangible recording tax is due only on the <b>principal</b> of the secured promissory note, it is necessary to separately state the principal of an add-on installment note because the face amount includes both principal and interest.</li> <li>In order to do so, insert the following statement in the space following the discussion of the secured promissory note: "The original amount of the Note includes both principal and interest. The proceeds of the Note (of principal amount actually received by the Obligor) is \$_____."</li> </ul>
<b>Page 8</b>	
<b>GRANTOR(S) Signatures</b>	<i>Signature of all Owners</i> of the property.  <b>Note:</b> The Owners should also execute the DSD on the signature line exactly as their names appear in Page 1.
<b>Unofficial Witness</b>	<i>Signature of an unofficial witness.</i>
<b>Notary Public</b>	<i>Signature and seal of a Georgia notary public.</i>
<b>Note:</b> Page 9 is <b>not</b> completed for a loan closing.	
<b>Exhibit A – Page 10</b>	
<b>dated</b>	<i>Date of the DSD.</i>  <b>Note:</b> This is the same as the date entered in Page 1.
<b>Grantor</b>	<i>Names of the Owners of the real property.</i>  <b>Note:</b> This are the same as those names entered in Page 1.
Description (Heading implied)	Complete <i>legal description</i> of the real estate.
<b>known as</b>	<i>Street address</i> of the subject real property.  <b>Note:</b> The address should include the full <i>street address and city.</i>
<b>County</b>	<i>County</i> of the subject real property.
Legal description (Heading implied)	If the form is being used to take a second or other subordinate DSD, it is necessary to complete the paragraph following the legal description of the real property.  <b>Note:</b> If the Loan Officer is preparing the DSD, the information relative to the prior DSD may be obtained from the applicable title search or attorney's opinion.  Use the table below to complete the paragraph.

Section	Description															
	<table border="1"> <thead> <tr> <th data-bbox="509 256 776 289">Field</th> <th data-bbox="776 256 1221 289">Description</th> </tr> </thead> <tbody> <tr> <td data-bbox="509 289 776 352"><b>from</b></td> <td data-bbox="776 289 1221 352"><i>Name of the Grantor of the prior DSD.</i></td> </tr> <tr> <td data-bbox="509 352 776 415"><b>to</b></td> <td data-bbox="776 352 1221 415"><i>Name of the Grantee of the prior DSD.</i></td> </tr> <tr> <td data-bbox="509 415 776 478"><b>dated</b></td> <td data-bbox="776 415 1221 478"><i>Date that the prior DSD was executed.</i></td> </tr> <tr> <td data-bbox="509 478 776 541"><b>Deed Book</b></td> <td data-bbox="776 478 1221 541"><i>Deed Book at which the prior DSD was recorded.</i></td> </tr> <tr> <td data-bbox="509 541 776 604"><b>Page</b></td> <td data-bbox="776 541 1221 604"><i>Page number of the Deed Book at which the prior DSD was recorded.</i></td> </tr> <tr> <td data-bbox="509 604 776 667"><b>County (Heading implied)</b></td> <td data-bbox="776 604 1221 667"><i>County in which the prior DSD was recorded.</i></td> </tr> </tbody> </table>	Field	Description	<b>from</b>	<i>Name of the Grantor of the prior DSD.</i>	<b>to</b>	<i>Name of the Grantee of the prior DSD.</i>	<b>dated</b>	<i>Date that the prior DSD was executed.</i>	<b>Deed Book</b>	<i>Deed Book at which the prior DSD was recorded.</i>	<b>Page</b>	<i>Page number of the Deed Book at which the prior DSD was recorded.</i>	<b>County (Heading implied)</b>	<i>County in which the prior DSD was recorded.</i>	
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