

**FILL OUT ALL SECTIONS OF THIS FORM BEFORE FILING WITH THE COUNTY CLERK
AND FIDUCIARY CLERK/COURT – MUST BE COMPLETED WITHIN 30 DAYS OF SALE***If this is an E-Filed case, upload this form to NYSCEF as a "Foreclosure Action Surplus Monies Form"***FORECLOSURE ACTION SURPLUS MONIES FORM****SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**BAC HOME LOANS SERVICING, LP F/K/A COUNTRYWIDE HOME
LOANS SERVICING, LP,

Plaintiff,

Index No. 22049/2009

-against-

CHERYL SMITH; NEW YORK CITY PARKING VIOLATIONS
BUREAU; NEW YORK CITY ENVIRONMENTAL CONTROL BOARD;
NEW YORK CITY TRANSIT ADJUDICATION BUREAU; CAPITAL
ONE BANK; SIM #3 MANAGEMENT CORPORATION; JEREMY
ELLIOTT; SANDRA ELLIOTT; JADA ELLIOTT; CAMERON ELLIOTT;
HUMPHREY SMITH; PEARL SMITH; CHARLES MORGAN; JESSIE
MORGAN;**MORTGAGED PROPERTY: 629E 28TH
ST
BROOKLYN, NY 11210
COUNTY: Kings**

Defendant.

SBL #: 5251-21

Sale Date: April 10, 2025 at 02:30 PM

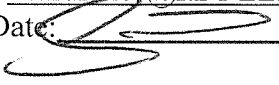
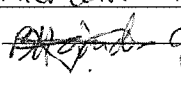
A. To be completed by the Referee

1. Final Judgment Amount per Judgment: \$840,441.47
2. Adjusted Judgment Amount (Upset Price): \$1,215,971.98
(This is the total amount due to the bank after post-sale disbursements, fees, taxes, utilities, etc.)
3. Sale Price: \$860,000.00
(To calculate if there is a surplus, subtract the higher of line 1 or line 2 from line 3 and enter any surplus on line 4)
4. Surplus Amount (enter \$0.00 if no surplus) \$0.00

***If there are surplus funds, attach proof/receipt that the surplus amount was deposited with
the Treasurer, Comptroller, Commissioner of Finance, Clerk of Court, etc.*

Referee's TOTAL compensation awarded/fees earned in this matter: \$500.00

Referee Name: Dominic Famulari, Esq. Telephone: 718-748-3333Address: 6741 Third Avenue, Brooklyn, NY 11220Email: dominic@famulari-law.comSignature/Date: **If plaintiff is also the purchaser, complete both B. and C.*9/17/2025

B. To be completed by Plaintiff's Rep.Name: Knuckles & Manfro, LLPAddress: 120 White Plains Rd., Ste. 215, Tarrytown, NY 10591Telephone: 914-345-3020Email Address: ThirdParty@KM-LLP.comSignature and Date:  9/26/25**C. To be completed by Purchaser**Name: 629 E 28 123 LLCAddress: 20 PINE ST., APT. 1619, NEW YORK, NY 10005Telephone: 516-455-8812Email Address: PremierContract@hotkeySignature and Date:  9/17/25

NOTE TO REFEREE: This form must be filed with the Kings County Clerk within thirty (30) days of the auction. You must provide a stamped copy to Chambers