

**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/COUNTY COURT OF THE STATE OF NEW YORK:

COUNTY OF KINGS

WELLS FARGO BANK, N.A.

Index No. 515044/2015

Plaintiff,

-against-

TIMOTHY BUTTERS; WAYCROSS VISTA INC; WORLD SAVINGS BANK, FSB; NYC DEPARTMENT OF FINANCE CORRESPONDENCE UNIT; NYS DEPARTMENT OF TAXATION AND FINANCE/FRANCHISE DESK BUREAU; NYC DEPARTMENT OF FINANCE; "JOHN DOE" (REFUSED NAME) AS JOHN DOE #1; "JOHN DOE" (REFUSED NAME) AS JOHN DOE #2; "JOHN DOE" (REFUSED NAME) AS JOHN DOE #3; "JOHN DOE" (REFUSED NAME) AS JOHN DOE #4

Defendant.

**MORTGAGED PROPERTY:**

1389 East 46th Street  
Brooklyn, New York 11234

COUNTY: Kings

SBL #: 7794-29

Sale Date: September 12, 2024

**A. To be completed by the Referee**

1. Final Judgment Amount per Judgment: \$ 780,187.60

2. Adjusted Judgment Amount (Upset Price): \$ 1,317,586.57

(This is the total amount due to the bank after post-sale disbursements, fees, taxes, utilities, etc.)

3. Sale Price: \$ 1,000.00

(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:

\$ 550.00

Referee Name: Doron A. Leiby, Esq.

Telephone: 212-227-4200

Address: 32 Broadway, Floor 13, New York, New York 10004

Email: \_\_\_\_\_

Signature/Date: [Signature] 12/16/24

*\*If plaintiff is also the purchaser, complete both B. and C.*

**B. To be completed by Plaintiff's Rep.**

Name: Michael W. Nardolillo, Esq.

Address: 85 Broad Street, Suite 501

New York, New York 10004

Telephone: 212-471-5100

Email: MNardolillo@FriedmanVartolo.com

Signature/Date: [Signature] 10/30/2024

**C. To Be Completed by Purchaser**

Name: Michael W. Nardolillo, Esq.

Address: 85 Broad Street, Suite 501

New York, New York 10004

Telephone: 212-471-5100

Email: MNardolillo@FriedmanVartolo.com

Signature/Date: [Signature] 10/30/2024

Additional Copies of this Form can be found at <https://www.nycourts.gov/forms/foreclosure/>