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ATTORNEYS  
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November 15, 2024

Closing USA  
175 Mile Crossing Boulevard  
Suite 2  
Rochester, NY 14624

Re: Wells Fargo Bank, N.A., etc. vs. Patricia Payne, et al.  
Property Address: 861 E 46th Street, Brooklyn, NY 11203  
Internal Case No.: 106513-1

Dear Closing USA,

DS240017376

Enclosed please find one original of the Referee's Deed packet for recordation. Also enclosed are two checks for transfer tax and recording fees. Please run a continuation from 08/01/2024, and provide the results to our office for review. Please do not send the Referee's Deed for recording until approved to proceed by our office, even if nothing is found on the continuation. Please record the deed and provide recording information immediately upon receipt of approval from our office and return all original documents to the undersigned.

Very truly yours,

WOODS OVIATT GILMAN LLP

Francesca N. Quatela

106513-1

**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.

Plaintiff.

against

PATRICIA PAYNE, DEPARTMENT OF HOUSING  
PRESERVATION AND DEVELOPMENT, NEW YORK  
CITY ENVIRONMENTAL CONTROL BOARD, NEW  
YORK CITY TRANSIT ADJUDICATION BUREAU,  
NEW YORK STATE DEPARTMENT OF TAXATION  
AND FINANCE, RICHARD JOHNSON,

Defendant.

Index No. 33009/2006

**MORTGAGED PROPERTY:**

861 E 46th Street  
Brooklyn, NY 11203

COUNTY: Kings

Block 4980 Lot 55

SALE DATE: October 10, 2024

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

1. Final Judgment Amount per Judgment: \$374,922.38

2. Adjusted Judgment Amount (Upset Price): \$792,446.93

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

3. Sale Price: \$ 900.00

(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: \$ 750.00

Referee Name: Richard Klass, Esq.

Telephone: 718-643-6063

Address: 16 Court Street, 28th Floor, Brooklyn, NY  
11241

Email:

Signature: [Signature]

Date: 10/10/24

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

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

Name: Duncan Eigg, Esq.,

Address: 500 Bausch & Lomb Place, Rochester,  
NY 14604

Telephone: 855-227-5072

Email: defaultsales@woodsdefaultservices.com

Signature/Date: *Duncan M. Eigg* 11/14/2024**C. To Be Completed by Purchaser**

Name: Duncan Eigg, Esq.,

Address: 500 Bausch & Lomb Place, Rochester,  
NY 14604

Telephone: 855-227-5072

Email: defaultsales@woodsdefaultservices.com

Signature/Date: *Duncan M. Eigg* 11/14/2024Additional Copies of this Form can be found at <https://www.nycourts.gov/forms/foreclosure/>WELLS FARGO BANK, N.A. v.PATRICIA PAYNEKINGS COUNTY SUPREME COURT"INDEX NO.: 33009/2006