SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

_____

_____

_____

_____

_____

(Name(s) of Plaintiff(s)

vs

_____

_____

_____

_____

(Name(s) of Defendant(s)

_____

NOTICE OF MOTION TO CONFIRM REFEREE'S REPORT OF SALE AND DISBURSE SURPLUS MONIES

Index No. _____

UPON the annexed report of sale of_____,Esq., as the referee appointed to sell in the proceeding herein, filed in the office of the Clerk of the County of _____ on _____, 20___, the annexed affidavit of _____, duly sworn to on
(Insert your name)
_____, 20____, the Certification of the Clerk of the County of _____
(Date Affidavit was sworn to before a Notary Public)
showing no exceptions to the Referee's Report of Sale and no claims to the surplus money other than that of the defendant/fee owner aforementioned, the report of the Clerk of the County of _____ dated_____,20____, showing the amount of _____Dollars ($_____)have been paid into court and deposited with the _____
(Comptroller's or Treasurer's)
Office of the County of _____, upon the order of Hon. _____ dated _____distributing $_____of the surplus money on deposit to _____, upon the Certificate of the

_____ Office of the County of _____ Certificate of Deposit bearing
(Comptroller's or Treasurer's)

number_____dated the _____, 20___ showing that the remaining

surplus monies in the sum of _____Dollars

($_____) continue to be on deposit with the _____ Office of the
(Comptroller's or Treasurer's)
County of _____, inclusive of interest, and upon all pleadings and proceedings

filed heretofore, _____ will move this Court, at
(Insert your name)
_____A.M./P.M. on the___day of_____, 20_____, at the Courthouse at
(Insert return time & date advised of by the Court)

_____, _____New York in IAS Part _____,
(Court street address)

before the Hon. _____for an order confirming the referee's report of

sale and directing the _____ Office of the County of _____ to disburse the
(Comptroller's or Treasurer's)
surplus monies in the amount of _____Dollars

($_____), less any fees due to the Clerk, to _____.
(Insert your name)

Please take notice that pursuant to CPLR 2214b, answering affidavits, if any, are required to be served upon the undersigned at least seven days before the return date of this motion.

Dated:
_____, New York
(County where signed)

_____, 20_____
(Date signed)

_____

_____

_____

_____
(Print name address and telephone number)

To: Attorney for Plaintiff(s)

_____

_____

_____

_____
(Print name address and telephone number)

CRC:Surplus4