

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____**

(Name(s) of Plaintiff(s))

VS

**NOTICE OF MOTION TO CONFIRM
REFEREE'S REPORT OF SALE AND
APPOINTMENT OF REFEREE IN
A SURPLUS MONEY PROCEEDING**

Index No. _____

(Name(s) of Defendant(s))

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____, bearing the
number _____, showing the amount of _____
_____ Dollars, (\$ _____) currently on deposit with the
_____ Office of the County of _____, inclusive of interest, upon the
(Comptroller's or Treasurer's)
certificate of the Clerk of the County of _____, dated _____, 20____
specifying the notices of claim to surplus monies filed in his/her office, and upon all

pleadings and proceedings filed heretofore, _____
(Insert your name)

will move this Court, at _____ A.M./P.M. on the ___ day of _____, 20_____,
(Insert return time & date advised of by the Court)

at the Courthouse at _____, _____ New York in
(Court street address)

IAS Part _____, for an order confirming the referee's report of sale and for the
appointment of a referee to ascertain and report the amount due _____
(Insert your name)
_____, or any other person, which is a lien upon the surplus monies realized
upon the foreclosure of the mortgaged premises, and to ascertain the priorities of the
liens on the premises, and for such other and further relief as the court deems proper.

Please take notice that pursuant to CPLR 2214b, answering affidavits, if any, are
required to be served upon the undersigned at least seven (7) 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)