FILED: KINGS COUNTY CLERK 05/17/2024 04:00 PM

NYSCEF DOC. NO. 40

RECEIVED NYSCEF: 05/17/2024

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF KINGS

The Bank of New York Mellon Trust Company N.A. as Trustee for Mortgage Assets Management Series I Trust,

Plaintiff,

-against-

Public Administrator of Kings County as Administrator of the Estate of Irma G. Simpson a/k/a Irma Simpson, deceased, Mary E. Green as heir at law to Rochester Green as heir at law, next of kin and distributee of the Estate of Irma G. Simpson a/k/a Irma Simpson, deceased, Herman Green as heir at law, next of kin and distributee of the Estate of Irma G. Simpson a/k/a Irma Simpson, deceased, Frank Green as heir at law, next of kin and distributee of the Estate of Irma G. Simpson a/k/a Irma Simpson, deceased, Secretary of Housing and Urban Development, City of New York Environmental Control Board, People of the State of New York (Nassau D.A.), Criminal Court of the City of New York, New York State Department of Taxation and Finance - TCD Child Support Enforcement Section, City of New York Department of Transportation Parking Violations Bureau, City of New York Transit Adjudication Bureau, New York State Department of Taxation and Finance - Tax Compliance Division - C.O. - ATC, Internal Revenue Service - United States of America, John Smith sued herein as John Doe #1, Jane Smith sued herein as John Doe #2, Mohammed Smith sued herein as John Doe #3, and Mohammed Smith sued herein as John Doe #4,

Index No. 0014474/2012

NOTICE OF SALE

Hon. Mark I. Partnow, J.S.C.

Foreclosure of

659 Euclid Avenue Brooklyn, NY 11208

Defendants.

Pursuant to a Judgment of Foreclosure and Sale dated January 24, 2022 and duly entered in the above-entitled action in the Kings County Clerk's Office on July 14, 2022 (the "Judgment"), Gregory T. Cerchione, Esq., the Referee, duly appointed in this action for such purpose, will sell in one parcel at public auction to be held at the Kings County Courthouse located at 360 Adams Street, Brooklyn, New York, in Room 224 on June 27, 2024, at 2:30 p.m., the premises described by said Judgment to be sold and therein described as follows:

ALL that certain plot, piece or parcel of land situate lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, being more particularly bounded and described as follows:

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Beginning at a point on the easterly side of Euclid Avenue, distant 158 Feet 6 inches southerly from the corner formed by the intersection of the easterly side of Euclid Avenue and the southerly side of Blake Avenue;

Running thence easterly parallel with Blake Avenue and part of the distance through a party wall, 100 feet;

Thence southerly parallel with Euclid Avenue, 20 feet;

Thence westerly and again parallel with Blake Avenue and part of the distance through another party wall, 100 feet to the easterly side of Euclid Avenue;

Thence northerly along side easterly side of Euclid Avenue, 20 feet to the point or place of beginning.

Said mortgaged premises being known in the County of Kings, State of New York, as Block 4281 Lot 17, commonly known as 659 Euclid Avenue, Brooklyn, New York 11208, and shall be offered as a whole and sold off to the highest bidder under the following terms:

Subject to any facts that an inspection of the premises would disclose; any state of facts that an accurate survey of the premises would show; any covenants, restrictions, declarations, reservations, easements, right of way, and public utility agreements of record; any building and zoning ordinances of the municipality in which the premises is located and possible violations of same; any rights of any tenants or persons in possession of the premises; prior liens of record, if any, except those liens addressed in section 1354 of the Real Property Actions and Proceedings Law; and any equity of redemption of the United States of America to redeem the premises within 120 days from the date of sale.

Subject also to each and every other term of said Judgment and the terms of sale.

The amount due as per the Judgment on the mortgage is the sum of \$537,988.27, plus interest, and Plaintiff's advances, costs and expenses, all due as per the Judgment.

A copy of the terms of sale can be obtained from Robert J. Malatak, Esq., c/o Windels Marx Lane & Mittendorf, LLP, 156 West 56th Street, 23rd Floor, New York, New York 10019, telephone (212) 237-1000, attorneys for mortgagee Bank of New York Mellon Trust Company,

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N.A. as Trustee for Mortgage Assets Management Series I Trust as assignee for WVMF Funding LLC.

Dated: New York, New York May 17, 2024

WINDELS MARX LANE & MITTENDORF, LLP

By: 18/ Robert J. Malatak

Robert J. Malatak 156 West 56th Street New York, New York 10019

Tel.: 212) 237-1000

Attorneys for Plaintiff Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust as assignee for WVMF Funding LLC

Gregory T. Cerchione, Esq. *Referee*Subin, LLP
150 Broadway
New York, New York 10038

Public Administrator of Kings County, as Administrator of the Estate of Irma G. Simpson Attorney for the Public Administrator of Kings County 2 Johnson Street Brooklyn, New York 11201

Mary E. Green, as heir at law to Rochester Green as heir at law, next of kin and distribute of the Estate of Irma G. Simpson a/k/a Irma Simpson for Rochester Green as heir at law, next of kin and distributee of the Estate of Irma G. Simpson a/k/a Irma Simpson 661 Euclid Avenue
Brooklyn, New York 11208

Herman Green as heir at law, next of kin and distributee of the Estate of Irma G. Simpson a/k/a Irma Simpson, deceased 535 Parkside Avenue Apartment 1G Brooklyn, New York 11226

Frank Green as heir at law, next of kin and distributee of the Estate of Irma G. Simpson a/k/a Irma Simpson, deceased 4319 Fairgreen Lane