

At an IAS Term of the Supreme Court of the State of New York, held for the County of Dutchess, at 10 Market Street, Poughkeepsie, New York on the _____ day of _____, 2023.

PRESENT: Hon. James V. Brands, J.H.O.
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

CONSENT ORDER AND JUDGMENT

In the Matter of the Application of
PAUL FEUERMAN and BRUCE GRIVETTI,
Petitioners

Index Nos.: 2022-52475

-against-

TOWN OF CLINTON, a Municipal Corporation, its ASSESSOR
and its BOARD OF ASSESSMENT REVIEW
Respondents

To Review Real Property Assessments Pursuant to Article 7 of
the Real Property Tax Law

Petitioner having heretofore served and filed the Notice of Petition and Petition to review assessments made by the Town of Clinton for the assessment year 2022 upon certain property located in the Town of Clinton and designated as Tax Grid Nos. 132400-6468-00-456078-0000 ("456078") and 132400-6468-00-572046-0000 ("572046") the tax maps and assessment rolls of the Town of Clinton; and

The issues of these proceedings having duly come before an IAS Term of this Court, and the Petitioner having appeared by Kyle W. Barnett, Esq., Van DeWater & Van DeWater, LLP, and Respondents having appeared by Shane J. Egan, Esq., Cappillino, Rothschild & Egan LLP, for the Town of Clinton and the parties having agreed to a settlement of these proceedings, it is

ORDERED, ADJUDGED and DETERMINED that the assessments on the property designated as Grid Numbers 456078 and 572046 on the tax map and assessment rolls of the Town of Clinton for the assessment year 2022, is hereby reduced, corrected and fixed for the assessment rolls as follows:

Grid No.	Assessed Value	Reduced Assessed Vale	Reduction in Assessed Value	Taxable Assessed Value	Reduced Taxable Assessed Value	Reduction In Taxable Value
456078	\$ 257,400.00	\$ 257,400.00	\$ -	\$ 51,480.00	\$ 51,480.00	\$ -
572046	\$ 342,200.00	\$ 297,400.00	\$ 44,800.00	\$ 68,440.00	\$ 59,480.00	\$ 8,960.00

and it is further

ORDERED, ADJUDGED AND DECREED, that the officer or officers having custody of the aforesaid assessment rolls and the tax rolls of the Town of Clinton shall make or cause to be made upon the

proper books and records of said Town the entries, changes and corrections necessary to conform said assessments to such corrected and reduced valuations; and it is further

ORDERED, ADJUDGED and DETERMINED ORDERED, ADJUDGED and DETERMINED, that there shall be audited allowed and paid to the petitioner by the Town of Clinton or the County of Dutchess the amounts, if any, paid as Town and Town Special District, (Clinton Community Library and East Clinton Fire) taxes against the original assessments in excess of what said taxes would have been if said assessments had been made as determined herein together with interest as provided by the respective laws of the State of New York, provided, however, if said refund is paid by the Town of Clinton or the County of Dutchess within sixty (60) days of service upon the Town and County of a copy of this Order together with a Demand for Payment said refund shall be paid without interest; and it is further

ORDERED, ADJUDGED and DETERMINED, that there shall be audited allowed and paid to the petitioner by the County of Dutchess the amounts, if any, paid as County and County Special District taxes against the original assessments in excess of what said taxes would have been if said assessments had been made as determined herein together with interest as provided by the respective laws of the State of New York, provided, however, if said refund is paid by the County of Dutchess within sixty (60) days of service upon the County of a copy of this Order together with a Demand for Payment said refund shall be paid without interest; and it is further

ORDERED, ADJUDGED and DETERMINED that there shall be audited, allowed and paid to the Petitioner by the Rhinebeck Central School District the amounts, if any, paid as School District taxes against the original assessments in excess of what said taxes would have been if said assessments had been made as determined herein together with interest as provided by the respective laws of the State of New York, provided, however, if said refund is paid by the Rhinebeck Central School District within sixty (60) days of service upon the County of a copy of this Order together with a Demand for Payment said refund shall be paid without interest; and it is further

ORDERED, ADJUDGED and DETERMINED that the refunds hereinabove directed to be paid shall be paid by check payable to the order of Van DeWater & Van DeWater, LLP, as attorneys for Petitioner, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorneys' lien, pursuant to Judiciary Law §475, and it is further

ORDERED, ADJUDGED and DETERMINED that to the extent any taxes or assessments are unpaid and have already been billed for the Town, School, County and special districts in accordance with the original assessed valuations, the officer or officers having custody of the assessment rolls and/or the tax rolls shall forward to the petitioner a new bill or bills, taxing said petitioner on the basis of the final total assessed valuation as stipulated herein, and it is further

ORDERED, ADJUDGED and DETERMINED that this Order and Judgment hereby constitutes and represents full settlement of the tax review proceedings herein, and that there are no costs or disbursements awarded to, by, or against any party and that upon compliance with the terms of this Order and Judgment, the above proceedings shall be, and the same hereby are, settled and discontinued with prejudice.

ENTER

HON. JAMES V. BRANDS, J.H.O.

Signing and Entry of the within Order is hereby
Consented to:

VAN DE WATER & VAN DE WATER, LLP

Attorneys for Petitioner

BY: 

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