

At an IAS Term of the Supreme Court of the State of New York held in and for the County of Dutchess, at 10 Market Street, Poughkeepsie, New York on the ____ day of _____, 2021.

PRESENT: Hon. JAMES V. BRANDS, JHO

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

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In the Matter of the Application of
CLIFFORD FERRANDI,

CONSENT JUDGMENT

Petitioner,

Index Nos.: 2019-52890
2020-52027

- against -

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

Respondents.

For Review of the Assessment of Certain Real Property
under Article 7 of the Real Property Tax Law.

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The above petitioner having heretofore served and filed Petitions and Notices to review the tax assessments fixed by the Town of Clinton for the assessment rolls of 2019 and 2020, upon certain real property located in the Town of Clinton, Dutchess County, New York, and designated as tax map No.: 6467-00-712200 (24-30 Horseshoe Trail) on the Official Assessment Map of the Town of Clinton, and

The petitioner having appeared by Corbally, Gartland and Rappleyea, LLP, Allan B. Rappleyea, Esq., and the respondents having appeared by Cappillino, Rothschild & Egan, LLP, Shane J. Egan, Esq., Attorney for the Town of Clinton, and the parties having

made their settlement, it is hereby

ORDERED, that the assessments on the property referred to herein, be and the same are hereby reduced, corrected and fixed for the 2019, 2020 and 2021 assessment rolls as follows:

DESCRIPTION (Tax Map No.): 6467-00-712200 (24-30 Horseshoe Trail)

<u>Assessment Roll</u>	<u>Original Assessment</u>	<u>Settlement Assessment</u>	<u>Amount of Reduction</u>
2019	1,489,000	1,180,000	309,000
2020	1,489,000	1,180,000	309,000
2021	1,238,000	1,180,000	58,000

; and it is further

ORDERED, that the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied thereon are entered shall correct the said entries in conformity with this Order and shall note upon the margin of said rolls, opposite of said entries that the same have been corrected by the authority of this Order; and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the Dutchess County Commissioner of Finance, or the Town of Clinton for Tax Map No.: 6467-00-712200 (24-30 Horseshoe Trail), the amount of Town, Special District and any other ad valorem taxes paid by the petitioner as taxes against the said erroneous assessment in the excess of what the taxes would have been had the said assessment made in the

aforesaid year been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with notice of entry, and it is further,

ORDERED, that there shall be audited, allowed and paid to the petitioner by the HYDE PARK CENTRAL SCHOOL DISTRICT, for tax map No.: 6467-00-712200 (24-30 Horseshoe Trail), the amount of School taxes, and Library taxes if applicable, paid by the petitioner as taxes against the said erroneous assessments in the excess of what the taxes would have been had the said assessments made in the aforesaid years been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute; and it is further

ORDERED, that all refunds are to be paid with interest pursuant to §726 of the Real Property Tax Law; provided however interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with Notice of Entry upon the respective taxing authorities, and it is further

ORDERED, that all tax refunds hereinabove directed to be made by respondent, the Dutchess County Commissioner of Finance, Town of Clinton, Hyde Park Central School District, and/or any of the various taxing authorities, be made by check or draft payable to the order of Corbally, Gartland and Rappleyea, LLP, as attorneys for the petitioner; and it is further

ORDERED, 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 valuation, 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 valuations as stipulated herein; and it is further

ORDERED, that this Order hereby constitutes and represents full settlement of the tax review proceedings herein, and there are no costs or allowances awarded to, by or against any of the parties, and that upon compliance with the terms of this Order, the above-entitled proceedings be and the same are settled and discontinued; and it is further

ORDERED, that this Order may be executed and delivered by exchange of facsimile signatures of the parties, or by exchange by e-mail of signed copies bearing the signature of the parties. The facsimile or e-mail signatures shall be the same as original signatures in all respects, including, but not limited to, being admissible in evidence in any court; and it is further

ORDERED, that this Order may be executed in counterparts.

Dated: Poughkeepsie, New York
_____, 2021

E N T E R ,

HON. JAMES V. BRANDS, JHO

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

CAPPILLINO, ROTHSCHILD & EGAN, LLP

BY: _____

SHANE J. EGAN, ESQ.
Attorneys for Respondents
7 Broad Street - P.O. Box 390
Pawling, NY 12564-0390
Telephone: (845) 855-5444

CORBALLY, GARTLAND and RAPPLEYEA, LLP

BY: _____

ALLAN B. RAPPLEYEA, ESQ.
Attorneys for Petitioner
35 Market Street
Poughkeepsie, NY 12601
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