

**RESOLUTION RE: CERTIORARI SETTLEMENT -
Mtr. of Faith W. Fina Trustee v. City of Beacon, et al.
(Sup. Ct. Dutchess Co. Index Nos. 51754/16 and 51797/17) -
SETTLEMENT OF TAX CERTIORARI LITIGATION**

WHEREAS, there are tax certiorari proceedings, entitled *Mtr. of Faith W. Fina Trustee v. City of Beacon, et al.* (Sup. Ct. Dutchess Cty. Index Nos. 51754/16 and 51797/17), pending before the Supreme Court, Dutchess County (Hon. James V. Brands, J.S.C., presiding); and

WHEREAS, these proceedings challenge the real property tax assessment of a homestead tax parcel located on Slocum Road, which is identified as Tax Lot No. 5954-20-786193 on the Tax Map of the City of Beacon; and

WHEREAS, on account of these proceedings, the 2016 and 2017 real property tax assessments established by the City of Beacon with respect to this parcel have been contested; and

WHEREAS, a settlement has been reached by and between Petitioner Faith W. Fina Trustee and the City of Beacon providing for a voluntary disposition of these proceedings; and

WHEREAS, a proposed Consent Judgment effectuating these settlement terms has been prepared, subject to the approval of the City of Beacon; and

WHEREAS, the City of Beacon has obtained the advice and assistance of its counsel, Keane & Beane, P.C., with respect to the settlement terms, the proposed Consent Judgment and has duly considered same; and

WHEREAS, under the settlement terms, the City will be liable for a City tax refund in the amount of Three Hundred Thirty-Nine and 92/100 (\$339.92) Dollars;

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the settlement of the aforementioned proceedings so that the following adjustments are made to the assessment of the above-described tax parcel:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2016	\$180,000	\$160,000	\$20,000
2017	\$180,000	\$160,000	\$20,000

BE IT FURTHER RESOLVED, that counsel for the City of Beacon, Keane & Beane, P.C., together with the City Administration, is hereby authorized to undertake such actions as are necessary to confirm and effectuate this settlement, including execution of the Consent Judgment incorporating the settlement terms.

Resolution No. _____ of 2017		Date: <u>December 18, 2017</u>					
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call				<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					