

**RESOLUTION RE: CERTIORARI SETTLEMENT -
*Mtr. of Continental Healthcare VIII Limited Partnership
v. Board of Assessors of the City of Beacon, et al.*
(Sup. Ct. Dutchess Co. Index Nos. 51760/17 and 52144/18) -
SETTLEMENT OF 2017 AND 2018 TAX CERTIORARI PROCEEDINGS**

WHEREAS, there are tax certiorari proceedings, entitled *Mtr. of Continental Healthcare VIII Limited Partnership v. Assessor of the City of Beacon, et al.* (Sup. Ct. Dutchess Cty. Index Nos. 51760/17 and 52144/18), pending before the Supreme Court, Dutchess County; and

WHEREAS, these proceedings challenge the real property tax assessment of non-homestead property located at 10 Hastings Drive, which is identified as Tax Lot No. 6055/03/328043 on the Tax Map of the City of Beacon; and

WHEREAS, by virtue of these proceedings, the real property tax assessment established by the City of Beacon with respect to said parcel has been contested in the years 2017 and 2018; and

WHEREAS, a settlement has been reached by and between Continental Healthcare VIII Limited Partnership and the City of Beacon providing for a disposition of these proceedings; and

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

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

WHEREAS, under the settlement terms, the City will be liable for City tax refunds that equal Six Thousand Nine Hundred Sixty-Eight and 50/100 (\$6,968.50) Dollars through the 2017 assessment year and corresponding 2018 City tax year;

WHEREAS, the settlement terms contain provisions that will serve to avoid future assessment challenges through the year 2021 with regard to the aforementioned property; and

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the settlement of these proceedings so that the following adjustments are made to the real property tax assessment of the aforementioned premises:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2017	\$13,250,000	\$12,700,000	\$550,000
2018	\$13,250,000	\$12,700,000	\$550,000

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 Stipulation of Settlement incorporating the settlement terms.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<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
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							