

STATE OF NEW YORK
SUPREME COURT, COUNTY OF CHEMUNG

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LONGFORD FARM REALTY, LLC,
Petitioner,

Before: Hon. Christopher P.
Baker, Supreme Court
Justice

-against-

THE ASSESSOR OF THE TOWN OF HORSEHEADS,
CHEMUNG COUNTY, NEW YORK;
THE TOWN OF HORSEHEADS, NEW YORK; and
THE BOARD OF ASSESSMENT REVIEW FOR THE
TOWN OF HORSEHEADS, NEW YORK,
Respondents.

**STIPULATION, CONSENT
ORDER AND JUDGMENT**

Index No. 2022-5490

2022 Assessment Roll Taxes for the year 2022/2023
Tax Map Nos. 69.14-1-17 and 69.14-1-14

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WHEREAS, Petitioner commenced the within proceeding under Article 7 of the Real Property Tax Law to review the assessment of certain parcels of real property located at 131 West 22nd Street, Elmira Heights, NY 14903, Tax Map No. 69.14-1-17, and 200 Lenox Avenue, Elmira Heights, NY 14903, Tax Map No. 69.14-1-14 in the Village of Elmira Heights, Town of Horseheads, County of Chemung, and State of New York for the tax year 2022/2023; and

WHEREAS, the Respondents, by their attorney, John P. Mustico, having agreed to a settlement prior to this proceeding having come before an IAS Term of this Court, it is hereby,

STIPULATED, ORDERED and ADJUDGED, that the assessment on the property designated as Tax Map No. 69.14-1-17 on the tax assessment roll of the Village of Elmira Heights and Town of Horseheads for the 2022/2023 tax year and the following three years shall be set at the following revised assessment reduction:

<u>Tax Year</u>	<u>Current Land Assessment</u>	<u>Current Total Assessment</u>	<u>Revised Total Assessment</u>
2022/23	\$285,900	\$2,077,900	\$1,310,000
2023/24	\$285,900	\$2,077,900	\$1,310,000
2024/25	\$285,900	\$2,077,900	\$1,310,000
2025/26	\$285,900	\$2,077,900	\$1,310,000

and it is further

STIPULATED, ORDERED and ADJUDGED, that the assessment on the property designated as Tax Map No. 69.14-1-14 on the tax assessment roll of the Village of Elmira Heights and Town of Horseheads for the 2022/2023 tax year and the following three years shall be set at the following revised assessment reduction:

<u>Tax Year</u>	<u>Current Land Assessment</u>	<u>Current Total Assessment</u>	<u>Revised Total Assessment</u>
2022/23	\$21,500	\$39,300	\$25,000
2023/24	\$21,500	\$39,300	\$25,000
2024/25	\$21,500	\$39,300	\$25,000
2025/26	\$21,500	\$39,300	\$25,000

and it is further

STIPULATED, ORDERED and ADJUDGED, that the assessments, as reduced, corrected, and adjusted herein, are fair, equitable and proper for the purpose of this settlement; and it is further

STIPULATED, ORDERED and ADJUDGED, that the officer or officers having custody of the aforesaid assessment roll and the tax roll of the Village of Elmira Heights and Town of Horseheads shall make or cause to be made upon the proper books and records of said Village and Town the entries, changes, and corrections necessary to conform said assessments to such corrected and reduced valuations; and it is further

STIPULATED, ORDERED and ADJUDGED, that Petitioner shall be entitled to any refund of real estate taxes paid prior to the date of this order and be administered in accordance with Section 726 of the Real Property Tax Law; and it is further

STIPULATED, ORDERED and ADJUDGED, that Petitioner shall have the right to seek specific enforcement of this Stipulation, Order and Judgment by whatever means provided by law; and it is further

STIPULATED, ORDERED and ADJUDGED, that this Stipulation, Order and Judgment hereby constitutes and represents the entire understanding and agreement between the parties and the full settlement of the assessment review proceeding herein, that there are no costs or disbursements awarded to, by, or against any party, and that upon compliance with the terms of this Stipulation, Order and Judgment, the above proceeding shall be, and the same hereby is, settled and discontinued with prejudice; and it is further

STIPULATED, ORDERED and ADJUDGED, that this Stipulation, Order and Judgment may be executed in counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument; and it is further

STIPULATED, ORDERED and ADJUDGED, that any and all refund checks due to Petitioner as a result of this Stipulation, Order and Judgment shall be made payable to "Longford Farm Realty, LLC" and shall be mailed to "Daniel J. Burke, Swift Glass, 131 West 22nd Street, Elmira Heights, NY 14903."

SAYLES & EVANS

Dated: _____, 2022

Kimberlee Balok Middaugh, Counsel
Attorneys for Petitioner
One West Church Street
Elmira, NY 14901
Telephone Number: (607) 734-2271

Dated: 9/20, 2022

TOWN OF HORSEHEADS

John F. Mustice, Esq.
Attorney for Respondents
150 Wygant Road
Horseheads, NY 14845
Telephone Number: (607) 739-8783

HOGAN, SARZYNSKI, LYNCH, DeWIND &
GREGORY, LLP

Dated: _____, 2022

Daria Gerasimova, Esq.
Attorneys for Elmira Heights Central School District
P. O. Box 660
Binghamton, NY 13902
Telephone Number: (607) 797-4839

SO ORDERED AND ADJUDGED:

Hon. Christopher P. Baker
Supreme Court Justice

Entered this _____ day of _____, 2022.