

CITY OF WILLIAMSPORT, PA RESOLUTION

RESOLUTION # 9355

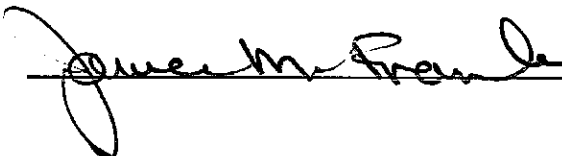
DATE 9-15-22

TITLE


**RESOLUTION FOR APPROVAL OF SETTLEMENT OF KOHLS
DEPARTMENT STORES, INC. TAX ASSESSMENT APPEAL**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLIAMSPORT AS FOLLOWS: the Stipulation of Settlement of Kohls Department Stores, Inc., Tax Assessment Appeal, a copy of which is attached hereto, is hereby approved and the appropriate city officials are hereby authorized and directed to execute said same.

Approved



City Clerk



President

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

KOHL'S DEPARTMENT STORES, INC.,	:	
	:	
Appellant	:	DOCKET NO. 21-1127
vs.	:	
	:	
LYCOMING COUNTY BOARD OF	:	
ASSESSMENT APPEALS; WILLIAMSPORT	:	
AREA SCHOOL DISTRICT; and, CITY OF	:	
WILLIAMSPORT,	:	CIVIL ACTION
Appellees	:	REAL ESTATE TAX APPEAL

STIPULATION OF SETTLEMENT

AND NOW come the parties, by and through their respective counsel, and stipulate to the settlement of the above-captioned tax assessment appeal and request this Honorable Court to accept this Stipulation of Settlement as a settlement under the following terms:

1. The property that is the subject of the above-captioned tax assessment appeal is a commercial property owned by Appellant and located at 251 Williams Street, City of Williamsport, County of Lycoming, Commonwealth of Pennsylvania, and which has been designated by the Lycoming County Tax Assessment Office as Lycoming County Tax Parcel No. 63-002-800 (hereinafter "Property").
2. The Parties agree that for purposes of this appeal, the stipulated assessed value shall be calculated based solely upon application of the common level ratio for tax year 2022.

3. The following stipulation of market value and assessed value shall be placed on the Property for tax year 2022 and shall remain unless revised by a subsequent appeal or otherwise by operation of governing law:

	<u>Full Market Value</u>	<u>Ratio</u>	<u>Assessed Value</u>
2022:	\$4,390,000.00	.610	\$2,677,900.00

4. In the event of any overpayment for tax year 2022 for payment of taxes on a market value and assessed value different than what has been stipulated herein for each year, Appellant will be entitled to a refund for the overpayment of the taxes resulting from this stipulation.

5. This stipulation, and the settlement contained herein, has been agreed upon by the respective taxing bodies and the respective solicitors are authorized to execute the stipulation.

6. This settlement has been agreed upon by Appellant and its legal counsel is authorized to execute the stipulation herein.

7. This stipulation shall cause the above-captioned tax assessment appeal to be marked settled, discontinued, and ended and each party shall pay their own respective costs and legal fees.

8. The parties to this stipulation agree that this is a settlement of a disputed claim and shall not be used as precedent in other tax assessment matters or appeals.

9. In the event that the fair market value and corresponding assessed value of the Property are modified in future tax years, as permitted under controlling law, any party aggrieved may appeal from such modification in the manner allowed and, in the event of such appeal, nothing in this stipulation shall bar any party from contending in such appeal that the fair market

value and corresponding assessment are higher than or less than (as the case may be) the values agreed to in this stipulation.

11. This stipulation shall be attached to and form a part of an Order of Court settling the above-captioned tax assessment appeal.

IN WITNESS WHEREOF, legal counsel for each of the parties has executed this stipulation as set forth hereinbelow.

The ____ day of August, 2022

Sharon F. DiPaolo
Ryan J. Kammerer
Siegel Jennings, Co., L.P.A.
Attorneys for Appellant Kohls Department Stores, Inc.

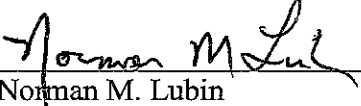
The ____ day of August, 2022

J. Michael Wiley
McCormick Law Firm
Solicitor for Appellee Lycoming County
Board of Assessment Appeals

The ____ day of August, 2022

Fred A. Holland
McNerney, Page, Vanderlin & Hall
Solicitor for Williamsport Area School District

The 15 day of ~~August~~^{Sept}, 2022



Norman M. Lubin
Casale & Bonner, P.C.
Solicitor for the City of Williamsport

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

KOHL'S DEPARTMENT STORES, INC.,	:	
	:	
Appellant	:	DOCKET NO. 21-1127
vs.	:	
	:	
LYCOMING COUNTY BOARD OF	:	
ASSESSMENT APPEALS; WILLIAMSPORT	:	
AREA SCHOOL DISTRICT; and, CITY OF	:	
WILLIAMSPORT,	:	CIVIL ACTION
Appellees	:	REAL ESTATE TAX APPEAL

ORDER

AND NOW this ____ day of _____, 2022, after review of the attached Stipulation of Settlement, it is hereby ORDERED that the above-captioned tax assessment appeal is settled by way of the Stipulation of Settlement for Appellant's commercial property located at 251 Williams Street, City of Williamsport, County of Lycoming, Commonwealth of Pennsylvania, and is designated as Tax Parcel No. 63-002-800 (hereinafter "Property").

The Parties agree that for purposes of this appeal, the stipulated assessed value shall be calculated based solely upon application of the common level ratio for tax year 2022..

The following stipulation of market value and assessed value shall be placed on the Property for tax year 2022 and shall remain unless revised by a subsequent appeal or otherwise by operation of governing law:

	<u>Full Market Value</u>	<u>Ratio</u>	<u>Assessed Value</u>
2022:	\$4,390,000.00	.610	\$2,677,900.00

Appellant is entitled to a refund for any taxes paid in excess of the amount of taxes due for tax year 2022 based upon the above-referenced assessed value.

The term of settlement as set forth in the attached Stipulation of Settlement are hereby incorporated into this Order of Court as though fully set forth herein. The matter is hereby

marked as settled, discontinued, and ended and each party shall pay their own respective costs and legal fees.

BY THE COURT:

J.

cc: Sharon F. DiPaolo/
Ryan J. Kammerer
J. Michael Wiley
Fred A. Holland
Norm B. Lubin