



LAW OFFICE OF
HENRY LACAP P.C.

COUNSELLOR AT LAW
50 TICE BLVD., SUITE 340
WOODCLIFF LAKE, NJ 07677
(201) 361-5306
FAX (201) 350-6090
hlacap@lacaplaw.com
(SERVICE BY FAX/EMAIL NOT ACCEPTED)

ADMITTED NY, NJ, PA

NY OFFICE:
140 OAK TREE RD.
TAPPAN, NEW YORK 10983

PA OFFICE:
41 UNIVERSITY DRIVE
SUITE 400 - PMB #851
NEWTON, PA 18940

August 16, 2022

Chief Financial Officer
Town of Vestal
605 Vestal Parkway, West
Vestal, NY 13850

Chief Financial Officer
Broome County
Broome County Office Building
60 Hawley Street
Binghamton, NY 13902

Chief Financial Officer
Vestal School District
201 Main Street
Administration Bldg.
Vestal, NY 13850

Re: Orograin Bakeries v. Vestal, Index Nos. EFCA2017-001543; EFCA2018-001855;
EFCA2019002111; EFCA2020001289, EFCA2021001709

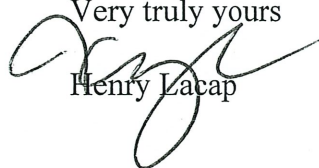
Dear Sir or Madam:

Enclosed herewith for service upon you please find certified copies of an Order and of assessment reduction and refund in the captioned tax certiorari matter entered in the Broome County Clerk's Office May 2, 2022.

Per the Court Order please make the refund checks currently due payable to "Law Office of Henry Lacap" as attorney for the petitioner and mail them 50 Tice Blvd., Suite 340 Woodcliff Lake, NJ 07677.

If you have any questions, please do not hesitate to contact me.

Very truly yours



Henry Lacap

Enclosure

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BROOME

In the Matter of

OROGRAIN BAKERIES SALES, INC.,

Petitioner.

-against-

THE ASSESSOR AND THE BOARD OF ASSESS-
MENT REVIEW OF THE TOWN OF VESTAL AND
THE TOWN OF VESTAL, BROOME COUNTY,
NEW YORK.

Respondent.

CONSENT ORDER AND
JUDGMENT

Index Numbers

EFCA2017-001543; RJI No. 2017-0883
EFCA2018-001855; RJI No. 2018-0887
EFCA2019-002111; RJI Year 2019
EFCA2020-001289; RJI Year 2020
EFCA2021-001709; RJI Year 2021

Petitioner, having commenced tax assessment review proceedings against respondents pursuant to Article 7 of the Real Property Tax Law relating to TOWN OF VESTAL tax map parcel set forth below by Henry Lacap, Esq., The Law Office of Henry Lacap P.C. (as successor and substituted attorney for Henry Lacap, Esq., Janata, Lacap & Hazen, LLP), and the respondents having appeared by David Berger, Esq;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, who are the attorneys of record for the above parties with full, direct and actual authority of their respective clients to do the same, that said proceedings shall be settled and compromised in the following manner:

ORDERED, that the said proceedings be and the same hereby are discontinued with prejudice, on the merits; and it is further

ORDERED, that for assessment years 2017 through 2021 respondents' assessments of petitioner's parcel of real property identified as tax map parcel 172.08-1-10 (1632 CASTLE GARDENS ROAD) are hereby corrected and reduced as follows:

172.08-1-10 (1632 CASTLE GARDENS ROAD):

<u>Assessment Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>	<u>Amount of Reduction</u>
2017	\$770,000	\$693,000	\$77,000
2018	\$770,000	\$693,000	\$77,000
2019	\$770,000	\$693,000	\$77,000
2020	\$770,000	\$693,000	\$77,000
2021	\$770,000	\$693,000	\$77,000

The Assessor of the TOWN OF VESTAL is hereby directed to reduce said parcel's assessments accordingly, and it is further

ORDERED, that revised and corrected assessments shall be administered in accordance with the provisions of Section 726 of the Real Property Tax Law provided that any refunds due to petitioner shall be without interest so long as payment is made within forty-five (45) days of service by mail of a copy of this Stipulation of Settlement and accompanying Order with Notice of Entry and no refund shall be made of any interest paid by Petitioner; and it is further

ORDERED, that if any cash refunds are due to petitioner, said refund checks due to petitioner as a result of this Order shall be made payable to the "Law Office of Henry Lacap" as attorney for the petitioner and shall be mailed to Law Office of Henry Lacap, 50 Tice Blvd. - Suite 340,

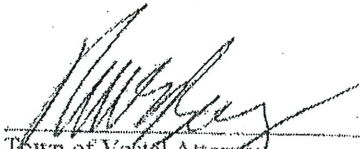
Woodcliff Lake, New Jersey 07677. Accompanying such refund checks shall be a statement setting forth the manner in which the amount of the refund has been calculated.

Dated: 4/29/2022

4/29/22



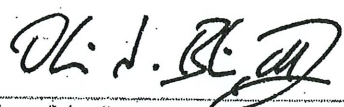
Law Office of Henry Lacap, P.C.
Attorneys for Petitioner
By: Henry Lacap, Esq.
140 Oak Tree Rd.
Tappan, NY 10983



Town of Vestal Attorney
Attorneys for Respondent
By: David S. Berger, Esq.
301 N. Stage Road
Vestal, NY 13850

Dated: May 2nd, 2022

At: Binghamton, New York



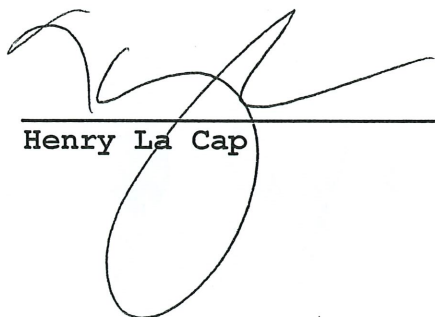
Justice of the Supreme Court
HON. OLIVER N. BLAISE, III

STATE OF NEW JERSEY)
) ss.:
COUNTY OF BERGEN)

The undersigned, an attorney duly admitted to practice in the courts of New York State, certifies that the within copy of an Order has been compared by the undersigned, with the original and found to be a true and exact copy of the original and entered with the Broome County Clerk on May 2, 2022.

The undersigned affirms that the foregoing statements are true, under penalties of perjury.

Dated: August 16, 2022.



Henry La Cap