

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **DRF17-0426-19**

Date of Adoption **APRIL 26, 2017**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

[Signature]
Legislative Research Officer

PRESENTED BY COUNCIL MEMBER **BURGESS** SECONDED BY **COX**

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF TAX APPEALS ON THE ATTACHED LIST DATED APRIL 7, 2017 WHICH WERE TAKEN FROM ASSESSMENTS OF PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments on the attached list dated April 7, 2017, have been challenged by the respective taxpayers; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein for the noted tax year(s); and

WHEREAS, the proposed Stipulations of Settlement, copies of which are incorporated herein as if set forth at length, have been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Township of Irvington.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Irvington, New Jersey:

1. The Township's Tax Appeal Attorney, Matthew J. O'Donnell, Esq. is authorized to execute Stipulations of Settlement on behalf of the Township of Irvington with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey for the tax year(s) listed therein and at the assessments stated therein.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

RECORD OF COUNCIL VOTE

X = Indicates Vote N.V. = No Vote A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BURGESS, 1ST VICE PRESIDENT	X				INMAN	X			
COX	X				JONES, 2ND VICEPRESIDENT	X			
FREDERIC	X				LYONS, PRESIDENT	X			
DR. HUDLEY				X					

PRESIDENT OF COUNCIL *[Signature]* MUNICIPAL CLERK *[Signature]* DATE **April 26, 2017**

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK *[Signature]* DATE **APR 26 2017**

ADMINISTRATOR ☒ ASSESSOR ☒ BLDG ☐ CF ☒ COLLECTOR ☐ COURT ☐ EDGO ☐ ENGINEER ☐ FIRE ☒ HEALTH ☐ HOUSING ☐ INIC ☐
JUDGE ☐ LEGAL ☒ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ OCDP ☐ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY ☐ DIR ☐ PUBLIC WORKS ☐ PURCHASING ☐
SEC~PB/ZBA ☐ TRAFFIC ☐ ZONING~OFF ☐ DLGS ☐ GNCD ☐ OTHER(S): **Tax Appeal Counsel**

O'DONNELL McCORD, P.C.

ATTORNEYS AT LAW

15 MOUNT KEMBLE AVENUE
MORRISTOWN, NEW JERSEY 07960

T: (973) 538-1230

F: (973) 538-3301

Matthew J. O'Donnell*•†
MODONNELL@OMLAWPC.COM
Attorney Id.: 028261994
* Member NJ and NY Bars
† Member U.S. Tax Court
• Diplomate NJ Local Government Law
† Certified Public Accountant (NJ & NY)

PLEASE REPLY TO MORRISTOWN OFFICE

BERGEN COUNTY OFFICE
266 HARRISTOWN ROAD
GLEN ROCK, NEW JERSEY 07452

ESSEX COUNTY OFFICE
SEVEN HUTTON AVENUE
WEST ORANGE, NEW JERSEY 07052

MONMOUTH COUNTY OFFICE
1725 HIGHWAY 35, SUITE C
WALL, NEW JERSEY 07719

April 7, 2017

VIA E-MAIL CORRESPONDENCE

Faheem J. Ra'Oof, CPA., CMFO
Director of Revenue and Finance
Township of Irvington
1 Civic Square
Irvington, New Jersey 07111

Re: 43 New Street Rlty c/o Balanka v. Township of Irvington
Property: 18 Orange Avenue, Block 82, Lot 16
Docket No.: 008689-2016

105 Grove Management, LLC v. Township of Irvington
Property: 101-107 W. Grove Terrace, Block 60, Lot 3
Docket Nos.: 012821-2014; 010230-2015; 008113-2016

476 Union Avenue, LLC v. Township of Irvington
Properties: 480-482 Union Avenue, Block 244, Lot 27
476-478 Union Avenue, Block 244, Lot 1 and Lot 1, Qualifiers B01 and B02
Docket Nos.: 013647-2015; 009700-2016

575 Grove Management LLC v. Township of Irvington
Property: 569-575 Grove Street, Block 117, Lot 25
Docket Nos.: 010231-2015; 008114-2016

Chester Square LLC v. Township of Irvington
Property: 175-179 Munn Avenue, Block 59, Lot 2
Docket Nos.: 013451-2013; 011999-2014; 009162-2015; 008537-2016

Antonio Joseph v. Township of Irvington
Property: 255-257 Munn Avenue, Block 64, Lot 7
Docket No.: 010065-2016

Delroy McMillan v. Township of Irvington
Property: 315 Vermont Avenue, Block 75, Lot 29
Docket No.: 010063-2016

Faheem J. Ra'Oof, CPA, CMFO
April 7, 2017
Page 2

Dear Mr. Ra'Oof:

Attached please find a proposed Resolution and Stipulations of Settlement for the above-referenced matters. In this regard, kindly place same on the next council agenda scheduled for **Tuesday, April 26, 2017.**

Should you have any questions or require any additional information, please call me directly at (973) 538-1230.

Respectfully submitted,


O'DONNELL McCORD, P.C.

MATTHEW J. O'DONNELL

MOD:jac

Enclosures

cc: Harold E. Weiner, Township Clerk
Silvia Forbes, CTA
Theodore Lamicella, CTA

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF TAX APPEALS ON THE ATTACHED LIST DATED APRIL 7, 2017 WHICH WERE TAKEN FROM ASSESSMENTS OF PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments on the attached list dated April 7, 2017, have been challenged by the respective taxpayers; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein for the noted tax year(s); and

WHEREAS, the proposed Stipulations of Settlement, copies of which are incorporated herein as if set forth at length, have been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Township of Irvington.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Irvington, New Jersey:

1. The Township's Tax Appeal Attorney, Matthew J. O'Donnell, Esq. is authorized to execute Stipulations of Settlement on behalf of the Township of Irvington with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey for the tax year(s) listed therein and at the assessments stated therein.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

I HEREBY CERTIFY this to be a true and correct Resolution of the Township Council of the Township of Irvington and adopted on _____.

Approved:

Tony Vauss, Mayor

Attest:

Harold E. Wiener, Township Clerk

Kevin S. Englert, Esq.
 Atty. ID No. 012202007
THE ENGLERT LAW FIRM, LLC
 58 Livingston Avenue
 Dover, New Jersey 07801
 (908) 930-3277
 KEnglert@englertlaw.com
 Attorneys for Plaintiff, *43 New Street Realty*

<u>43 NEW STREET RLTY c/o</u>	:	TAX COURT OF NEW JERSEY
<u>BALANKA,</u>	:	
	:	Docket No. 008689-2016
Plaintiff,	:	
	:	
v.	:	Civil Action
	:	
<u>TOWNSHIP OF IRVINGTON,</u>	:	STIPULATION OF SETTLEMENT
	:	
Defendant.	:	(Without Affidavit)
	:	Hon. Christine M. Nugent, J.T.C.

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 82 Lot: 16
 Year: 2016
 Street Address: 18 Orange Avenue

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 174,300.00	\$ 174,300.00	\$ 174,300.00
Improvements	\$ 128,400.00	\$ 128,400.00	\$ 65,700.00
TOTAL	\$ 302,700.00	\$ 302,700.00	\$ 240,000.00

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent

with assessing practices generally applicable in the taxing district as required by law.

4. Pre- and post-judgment interest is waived on the condition that the refund is received by counsel for Plaintiff within one hundred eighty (180) days of the date of the entry of judgment.

5. All tax over-payments and interest shall be by refund check made payable to **The Englert Law Firm, LLC Attorney Trust Account**, without any offsets or deductions whatsoever for any unpaid taxes or municipal charges for tax years subsequent to the tax year(s) covered by this Stipulation of Settlement.

6. The parties understand that the Tax Court may not have jurisdiction over this agreement at this time. It is hereby agreed that the assessment for Block 82, Lot 16 for tax year 2017 was going to be \$302,700, but the parties have agreed that the assessment shall be reduced to \$230,000. It is further agreed that Plaintiff shall institute an appeal at the Essex County Board of Taxation upon said property to implement this agreement, which shall be effectuated there by the parties without undue delay.

7. The provisions of Paragraphs 4, 5 and 6 of this Stipulation shall survive Judgment as a binding agreement on the parties even if not included in the Judgment issued by the Tax Court.

Dated:

Kevin S. Englert, Esq.
Attorney for Plaintiff

Dated:

Matthew J. O'Donnell, Esq.
Attorney for Defendant

FEINSTEIN, RAISS, KELIN & BOOKER, L.L.C.

Gary D. Gordon, Esq. (Attorney ID #0079212977)

290 W. Mt. Pleasant Avenue, Suite 1340

Livingston, New Jersey 07039

Tel: (973)-324-5400

Fax: (973) 731-4669

Attorneys for Plaintiff

476 Union Avenue, LLC,

Plaintiff,

v.

Township of Irvington,

Defendant.

TAX COURT OF NEW JERSEY

DOCKET NOS. 009700-2016

Civil Action

STIPULATION OF SETTLEMENT

**PROPERTY: 476-478 Union Avenue
LEAD BLOCK 244 LOT 1**

1. It is hereby stipulated and agreed that the assessment of the following property be adjudged and a judgment entered as follows:

TAX YEAR 2016

<u>BLOCK 244 LOT 1</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	23,000	23,000
IMPRVT:	<u>494,300</u>	<u>446,000</u>
TOTAL:	517,300	469,000

<u>BLOCK 244 LOT 1 QUAL. B01</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	0	0
IMPRVT:	<u>20,500</u>	<u>20,500</u>
TOTAL:	20,500	20,500

<u>BLOCK 244 LOT 1 QUAL. B02</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	0	0
IMPRVT:	<u>20,500</u>	<u>20,500</u>
TOTAL:	20,500	20,500

<u>BLOCK 244 LOT 27</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	60,700	45,000
IMPRVT:	<u>33,400</u>	<u>15,000</u>
TOTAL:	94,100	60,000

2. The parties agree that the property's 2017 assessment shall be \$540,000 in total (as itemized on the schedule below) and further agree that either party shall have the right to file an appeal before the Essex County Tax Board for the 2017 tax year to obtain a judgment to implement, enforce and/or confirm the assessments agreed upon herein.

<u>BLOCK 244 LOT 1</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	23,000	23,000
IMPRVT:	<u>494,300</u>	<u>416,000</u>
TOTAL:	517,300	439,000

<u>BLOCK 244 LOT 1 QUAL. B01</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	0	0
IMPRVT:	<u>20,500</u>	<u>20,500</u>
TOTAL:	20,500	20,500

<u>BLOCK 244 LOT 1 QUAL. B02</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	0	0
IMPRVT:	<u>20,500</u>	<u>20,500</u>
TOTAL:	20,500	20,500

<u>BLOCK 244 LOT 27</u>	<u>ORIGINAL ASSESSMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND:	60,700	45,000
IMPRVT:	<u>33,400</u>	<u>15,000</u>
TOTAL:	94,100	60,000

3. The parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year 2018 and 2019 and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s), subject to the Plaintiff's right to appeal in the Freeze Act years. No Freeze Act year(s) shall be the basis for application of the Freeze Act for any subsequent year(s).


4. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

5. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

6. Statutory interest pursuant to N.J.S.A. 54:3-27.2 is waived by the taxpayer provided that the refund is paid within 180 days after entry of Judgment and receipt of said Judgment by the municipality. All refunds as a result of the settlement set forth herein, if any, are to be made payable to "Feinstein, Raiss, Kelin & Booker, L.L.C. Trust Account" and forwarded to Gary D. Gordon, Esq., Feinstein, Raiss, Kelin & Booker, L.L.C., 290 W. Mt. Pleasant Avenue, Suite 1340, Livingston, New Jersey 07039.

Feinstein, Raiss, Kelin & Booker, LLC

Dated: _____

By: 

Gary D. Gordon, Esq.
Attorneys for Plaintiff
476 Union Avenue, LLC

O'Donnell McCord, PC

Dated: _____

By: _____

Attorneys for Defendant
Township of Irvington

PABLO M. KIM, ESQ.
The Irwin Law Firm, P.A.
80 Main Street, Suite 410
West Orange, New Jersey 07052
(973) 325-0191
ATTORNEY ID# 075442014
575 GROVE MANAGEMENT, LLC

Plaintiff,

-v-

IRVINGTON TOWNSHIP

Defendant

TAX COURT OF NEW JERSEY

Docket No. 010231-15 & 008114-16

STIPULATION OF SETTLEMENT
(Without Affidavit)

Hon. Christine M. Nugent, J.T.C.

First Calendar Date:

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 117 Lot: 25
Year: 2015
Street Address: 569-575 Grove Street

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 148,500	\$148,500	\$ 148,500
Improvements	\$ 604,000	\$604,000	\$ 604,000
TOTAL	\$ 752,500	\$752,500	\$ 752,500

Block: 117 Lot: 25
Year: 2016
Street Address: 569-575 Grove Street

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 148,500	\$148,500	\$ 148,500
Improvements	\$ 604,000	\$604,000	\$ 576,500
TOTAL	\$ 752,500	\$752,500	\$ 725,000

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

4. Interest is waived on the condition that the refund is received within 180 days from the date of the entry of judgment.

5. All tax over-payments and interest shall be by refund check made jointly payable to "The Irwin Law Firm Attorney Trust Account F.B.O. 575 Grove Management, LLC Plaintiff".

6. The provisions of Paragraphs 4 and 5 shall survive Judgment even if not included in the Judgment issued by the Tax Court.



PABLO M. KIM
Attorney for Plaintiff

Dated:

Attorney for Defendant

Dated:

PABLO M. KIM, ESQ.
The Irwin Law Firm, P.A.
80 Main Street, Suite 410
West Orange, New Jersey 07052
(973) 325-0191
ATTORNEY ID# 075442014
105 W. GROVE MANAGEMENT, LLC :

TAX COURT OF NEW JERSEY

Docket No. 012821-14, 010230-15 &
008113-16

Plaintiff,

-v-

IRVINGTON TOWNSHIP

Defendant

:
: STIPULATION OF SETTLEMENT
: (Without Affidavit)
: Hon. Christine M. Nugent, J.T.C.

:
: First Calendar Date:
:

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 60 Lot: 3

Year: 2014

Street Address: 101-107 W. Grove Terrace

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 22,500	\$ 22,500	\$ 22,500
Improvements	\$ 495,600	\$ 495,600	\$ 495,600
TOTAL	\$ 518,100	\$ 518,100	\$ 518,100

Block: 60 Lot: 3

Year: 2015

Street Address: 101-107 W. Grove Terrace

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 22,500	\$ 22,500	\$ 22,500
Improvements	\$ 495,600	\$ 495,000	\$ 477,500
TOTAL	\$ 518,100	\$ 518,100	\$ 500,000

Block: 60 Lot: 3

Year: 2016

Street Address: 101-107 W. Grove Terrace

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$ 22,500	\$ 22,500	\$ 22,500
Improvements	\$ 495,600	\$ 495,600	\$ 477,500
TOTAL	\$ 518,100	\$ 518,100	\$ 500,000

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

4. Interest is waived on the condition that the refund is received within 180 days from the date of the entry of judgment.

5. All tax over-payments and interest shall be by refund check made jointly payable to "The Irwin Law Firm Attorney Trust Account F.B.O. 105 W. Grove Management, LLC Plaintiff".

6. The provisions of Paragraphs 4 and 5 shall survive Judgment even if not included in the Judgment issued by the Tax Court.



PABLO M. KIM
Attorney for Plaintiff

Dated:

JASON A. CHERCHIA
Attorney for Defendant

Dated:

SCHNECK LAW GROUP LLC

Michael I. Schneck, Esq. – Attorney ID 015981986
301 South Livingston Avenue, Suite 105
Livingston, New Jersey 07039
(973) 533-9300
Attorneys for PLAINTIFF

TAX COURT OF NEW JERSEY
DOCKET NO.: 013451-2013
DOCKET NO.: 011999-2014
DOCKET NO.: 009162-2015
DOCKET NO.: 008537-2016

CHESTER SQUARE LLC

Plaintiff,

Civil Action

vs.

STIPULATION OF SETTLEMENT
(Without Affidavit)

TOWNSHIP OF IRVINGTON

Defendant.

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted
and a judgment entered as follows:

BLOCK: 59

LOT: 2

STREET ADDRESS: 175-179 MUNN AVE.

Year: 2013

	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
LAND	\$191,300	\$191,300	WITHDRAWN
IMPROVEMENTS	\$1,109,300	\$1,109,300	WITHDRAWN
TOTAL	\$1,300,600	\$1,300,600	WITHDRAWN

Year: 2014	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
LAND	\$22,600	\$22,600	\$22,600
IMPROVEMENTS	\$758,700	\$758,700	\$627,400
TOTAL	\$781,300	\$781,300	\$650,000

Year: 2015	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
LAND	\$22,600	\$22,600	\$22,600
IMPROVEMENTS	\$758,700	\$758,700	\$577,400
TOTAL	\$781,300	\$781,300	\$600,000

Year: 2016	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
LAND	\$22,600	\$22,600	\$22,600
IMPROVEMENTS	\$758,700	\$758,700	\$527,400
TOTAL	\$781,300	\$781,300	\$550,000

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor to the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

4. All refunds as a result of the settlement set forth herein shall be paid by refund check, made payable to: 'Michael I. Schneck, Esq., Attorney for CHESTER SQUARE LLC', and forwarded to Michael I. Schneck, Esq. 301 South Livingston Ave., Livingston, NJ 07039 within one hundred eighty (180) days of the date of the Judgment.

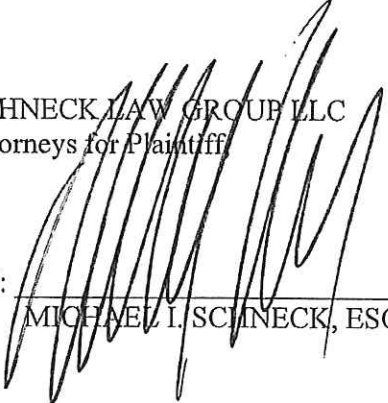
5. Statutory interest pursuant to N.J.S.A. 54:3-27.2 is waived by the taxpayer and shall not be paid on the condition the refund is received pursuant to Paragraph 4 hereof within 180 days from the date of the entry of the Judgment.

6. The provisions of paragraph 4 and 5 shall survive Judgment even if not included on the Judgment issued by the Tax Court of New Jersey.

7. All counterclaims will be withdrawn as part of this settlement.

8. If the subject property is sold to an unrelated party subsequent to the execution of the within Stipulation of Settlement but on or before the date the refund is to be paid as a result of the judgment entered in this case, defendant hereby waives the application of N.J.S.A. 54:4-134 and agrees that the refund shall be paid by check pursuant to paragraph 4.

SCHNECK LAW GROUP LLC
Attorneys for Plaintiff

BY: 
MICHAEL I. SCHNECK, ESQ.

DATED:

TOWNSHIP OF IRVINGTON,
DEFENDANT

BY: _____
Matthew O'Donnell, Esq.

DATED:

<u>Taxpayer</u>	<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Address</u>	<u>Class</u>	<u>Docket No.</u>	<u>Original Assessment</u>	<u>Settled Assessment</u>	<u>Tax Rate</u>	<u>Refund</u>	<u>Stip Rec'd</u>
476 Union Avenue	244	1		476-478 Union Avenue	4A	013647-2015	\$517,300	\$517,300	5.423%	\$0.00	3/17/2017
						009700-2016	\$517,300	\$469,000	5.567%	\$2,688.86	
						013647-2015	\$20,500	\$20,500	5.423%	\$0.00	
						009700-2016	\$20,500	\$20,500	5.567%	\$0.00	
						013647-2015	\$20,500	\$20,500	5.423%	\$0.00	
						009700-2016	\$20,500	\$20,500	5.567%	\$0.00	
						013647-2015	\$94,100	\$94,100	5.423%	\$0.00	
						009700-2016	\$94,100	\$60,000	5.567%	\$1,898.35	
						Total		\$240,000	5.567%	\$4,587.21	
43 New Street Rlty c/o Balanka	82	16		18 Orange Avenue	4A	008689-2016	\$302,700	\$240,000	5.567%	\$3,490.51	3/21/2017
Joseph, Antonio	64	7		255-257 Munn Avenue	2	010065-2016	\$238,500	\$238,500	5.567%	\$3,490.51	
						2017		\$200,000		\$0.00	No stip
						Total				\$0.00	
McMillan, Delroy	75	29		315 Vermont Avenue	2	010063-2016	\$253,300	\$253,300	5.567%	\$0.00	No stip
						2017		\$215,000		\$0.00	
						Total				\$0.00	
575 Grove Management	117	25		569-575 Grove Street	4A	010231-2015	\$752,500	\$752,500	5.423%	\$0.00	3/24/2017
						008114-2016	\$752,500	\$725,000	5.567%	\$1,530.93	
						Total				\$1,530.93	
105 W. Grove Management, LLC	60	3		101-107 W. Grove Terrace	4C	012821-2014	\$518,100	\$518,100	5.456%	\$0.00	3/24/2017
						010230-2015	\$518,100	\$500,000	5.423%	\$981.56	
						008113-2016	\$518,100	\$500,000	5.567%	\$1,007.63	
						Total				\$1,989.19	
Chester Square LLC	59	2		175-179 Munn Avenue	4C	013451-2013	\$1,300,600	\$1,300,600	3.510%	\$0.00	3/28/2017
						011999-2014	\$781,300	\$650,000	5.456%	\$7,163.73	
						009162-2015	\$781,300	\$600,000	5.423%	\$9,831.90	
						008537-2016	\$781,300	\$550,000	5.567%	\$12,876.47	
						Total				\$29,872.10	
TOTAL REFUNDS FOR PENDING SETTLEMENTS:										\$41,469.93	