

OGDENSBURG CITY SCHOOL DISTRICT
OGDENSBURG, NEW YORK

SUBJECT: McDonald's Real Estate Company Tax Certiorari Settlement Resolution

DATE: December 18, 2017

REASON FOR BOARD CONSIDERATION:

The Board of Education of the Ogdensburg City School District must approve all authorizations required for the expenditure of district funds.


FACTS AND ANALYSIS:

The firm of Ferrara Fiorenza P.C., the district's attorneys, have submitted the following resolution to be adopted by majority vote of the Board of Education to execute a settlement agreement with McDonald's Real Estate Company regarding the current Tax Certiorari. (Resolution attached)

RECOMMENDED ACTION:

Moved by _____ and supported by _____ that, having the approval of the Superintendent of Schools, the Board of Education of the Ogdensburg City School District does hereby adopt the attached resolution on this 18th dy of December, 2017.

APPROVED FOR PRESENTATION TO THE BOARD:


Superintendent

TMV/alf
Attachment

RESOLUTION

At a Regular Meeting of the Board of Education of the Ogdensburg City School District (the "Board of Education"), held on December 18, 2017 at Ogdensburg Free Academy, 1100 State Street, Ogdensburg, County of St. Lawrence, State of New York;

The meeting was called to order by Ronald N. Johnson, President of the Board of Education, and upon roll being called, the following members were:

PRESENT:

ABSENT:

OTHERS ALSO PRESENT:

The following Resolution was offered by _____, and seconded by _____.

WHEREAS, McDonalds Real Estate Company c/o McDonalds Corporation filed tax certiorari proceedings challenging the assessment of real property located at 1134 Paterson Street in the City of Ogdensburg, for the 2013-14, 2014-15, 2015-16, 2016-17, and 2017-18 school years; and

WHEREAS, McDonalds Real Estate Company c/o McDonalds Corporation has proposed settlement of the pending proceedings upon the following terms:

- a. reduce the assessment to \$675,000;
- b. waive all real property tax refunds; and

WHEREAS, the City Assessor supports the settlement proposal; and

WHEREAS, the Board of Education is willing to settle the proceedings pursuant to the terms outlined above.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Education agrees to settle the tax certiorari proceeding commenced by McDonalds Real Estate Company c/o McDonalds Corporation in accordance with the terms set forth above and hereby delegates to Ferrara Fiorenza PC the authority to execute such settlement documents.
2. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote,
which resulted as follows:

AYES: _____

NAYS: _____

The Resolution was thereupon declared adopted.

Dated: **December 18, 2017**

Mariah D. Ahmad, School District Clerk
Ogdensburg City School District