

Background

The Horseheads Central School District received an Order and Decree of Settlement from the Supreme Court, County of Chemung regarding a correction to the 2009-10 tax assessment roll for the property listed below:

**Town of Horseheads:**

Hardinge Technology Systems, Inc.                      69.05-2-3.4                      1 Hardinge Dr., Horseheads

Court order was made that the assessment of the property be corrected and reduced by \$1,632,340.

The District will adjust the 2009-210 warrant and tax roll accordingly and appropriate reports filed with New York State reflecting these changes.

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RESOLVED, that the Horseheads Central School District warrant and tax roll for 2009-10 be adjusted as follows:

<b>2009-10 ADJUSTMENTS TO TAX WARRANT</b>						
<b>Town or Village</b>	<b>Owner</b>	<b>Tax Map #</b>	<b>Original Taxable Assessment</b>	<b>Revised Taxable Assessment</b>	<b>Difference Taxable Assessment</b>	<b>Difference in Tax Levy</b>
Horseheads	Hardinge Technology Systems, Inc.	69.05-2-3.4	3,425,000	1,792,660	-1,632,340	-28,995.15
<b>TOTAL REDUCTION TO TAXABLE ASSESSMENT</b>					<b>\$1,668,440</b>	
<b>TOTAL REDUCTION IN TAX LEVY</b>						<b>\$28,995.15</b>

In addition, corrected tax bills were issued to the effected parties and appropriate reports will be filed with New York State reflecting these changes.

At a Special Term of the Supreme Court of the State of New York, held in and for the County of Chemung, Elmira, New York on the 25th day of November, 2009.

**P R E S E N T:**

**HON. JUDITH F. O'SHEA,**  
Justice.

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF CHEMUNG

COUNTY OF CHEMUNG  
COUNTY CLERK'S OFFICE  
2009 DEC - 3 P 2

Hardinge Technology Systems, Inc.

Petitioner,

**ORDER AND DECREE  
OF SETTLEMENT**

-against-

Index No. 2009-2252  
RJI No. 2009-0517M

Cindy Brand, Assessor, the Board of Assessment Review of the Town of Horseheads, Chemung County, New York and the Town of Horseheads, New York,

Respondents.

On the Notice of Application and Petition and all other proceedings herein, on the annexed Stipulation of Settlement, and on motion of Buck, Danaher, Ryan and McGlenn, attorneys for petitioner, it is

**ORDERED**, that the assessment of petitioner's properties, designated as Tax Map Nos. 69.05-2-3.4 and 69.09-4-62 (hereinafter "Subject Properties") on the 2009 assessment roll of the Town of Horseheads, County of Chemung, be corrected and reduced as follows:

<u>Parcel</u>	<u>Assessment</u>
Parcel 69.05-2-3.4	\$1,792,660.00 (Land \$126,500.00 , total \$1,792,660.00)
Parcel 69.09-4-62	\$2,565,580.00 (Land \$331,500.00, total \$2,565,580.00); and it

is further

**ORDERED, ADJUDGED AND DECREED**, that the officer or officers having custody of the 2009 assessment roll upon which the above mentioned assessments and taxes levied thereon are entered, shall correct the said entries in conformity with this Order and Decree and shall note upon the margin of said roll,

opposite said entries, that the same have been corrected by the authorization of this Order and Decree, and it is further

**ORDERED AND ADJUDGED**, that pursuant to the Stipulation of Settlement dated November // , 2009

by representatives for the parties, the tax assessments on the Subject Properties shall not be changed for the next three (3) succeeding assessment rolls for the years 2010, 2011 and 2012 subject to parties' rights to change one or more of the assessments pursuant to the provisions of subdivision two of section 727 of the Real Property Tax Law, and it is further

**ORDERED AND DIRECTED**, in the event petitioner has paid any taxes based on the original 2009 assessments, that there shall be audited, allowed and paid by the Town of Horseheads and its Treasurer is authorized and directed to make and pay to Hardinge Technology Systems, Inc. ("Hardinge"), the amounts, if any, paid by said petitioner, its agents or representatives as taxes and special assessments against the said erroneous assessments in excess of what the taxes should have been if the said assessments had been as determined by this Order and Decree, without interest provided payment is made within sixty (60) days from service of a copy of this Order of Settlement with Notice of Entry, and in the event payment is not so made, with interest in accordance with statute, together with the amounts of interest, if any, paid on such excess by reason of any delinquent payment, and it is further

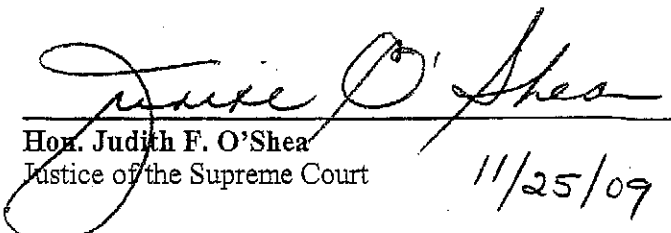
**ORDERED AND DIRECTED**, in the event petitioner has paid any taxes based on the original 2009 assessment, for Tax Map Parcel No. 69.05-2-3.4 the Horseheads Central School District, and its Finance Director is authorized and directed to make and to pay to Hardinge the amounts, if any, paid by said petitioner, its agents or representatives as taxes against said erroneous assessments in excess of what the taxes should have been if said assessments had been as determined by this Order and Decree, without interest provided payment is made within sixty (60) days from service of a copy of this Order of Settlement with Notice of Entry, and in the event payment is not so made, with interest in accordance with statute, together with the amounts of interest, if any, paid on such excess by reason of any delinquent payment, and it is further

**ORDERED AND DIRECTED**, in the event petitioner has paid any taxes based on the original 2009 assessment for Tax Map Parcel No. 69.09-4-62, the Elmira Heights School District and its Finance Director is authorized and directed to make and to pay to Hardinge, the amounts, if any, paid by said petitioner, its agents or representatives as taxes against said erroneous assessment in excess of what the taxes should have been if said assessment had been as determined by this Order and Decree, without interest provided payment is made within sixty (60) days from service of a copy of this Order of Settlement with Notice of Entry, and in the event payment is not so made, with interest in accordance with statute, together with the amounts of interest, if any, paid on such excess by reason of any delinquent payment, and it is further

**ORDERED AND DIRECTED**, in the event petitioner has paid any taxes based on the original 2009 assessments, that the County Treasurer of the County of Chemung, State of New York, be and is hereby authorized and directed to make and to pay to Hardinge the amounts, if any, of state, county, sewer district and any special taxes and assessments paid by the petitioner as taxes and special assessments against said erroneous assessments in excess of what the taxes should have been if said assessments had been as determined by this Order and Decree, without interest provided payment is made within sixty (60) days from service of a copy of this Order of Settlement with Notice of Entry, and in the event payment is not so made, with interest in accordance with statute, together with the amounts of interest, if any, paid on such excess by reason of any delinquent payment, and it is further

**ORDERED**, that these proceedings are discontinued with prejudice, without costs or disbursements against either party.

ENTER

  
Hon. Judith F. O'Shea  
Justice of the Supreme Court

11/25/09

# HORSEHEADS CENTRAL SCHOOL DISTRICT

Bill No. 010239

## 2009 - 2010 School Tax Certification

Page No. 1 of 1

For Fiscal Year Ending 06/30/10 \* Warrant Date 09/01/09

### CHECKS PAYABLE TO

Collector of Taxes  
 IF PAYING BY MAIL, SEND TO:  
 P.O. Box 3880  
 Syracuse, NY 13220  
 (607) 739-5601 Ext. 8-4260

### TO PAY IN PERSON

ANY CHEMUNG CANAL BANK  
 DURING BANKING HOURS  
 Please bring this statement.  
 Bank cannot take copies.

### PROPERTY ADDRESS & LEGAL DESCRIPTION

**S/B/L 073489 69.05-2-3.4**

**Address:** 1 Hardinge  
**Town of:** HORSEHEADS  
**School:** 073401 - HORSEHEADS  
**Class:** 710 Manufacturing & Processing  
**Acres:** 6.31 **Roll Section:** 1  
**Bank:**

Hardinge Technology  
 Systems Inc  
 1 Hardinge Dr  
 Horseheads, NY 14845

**Total School Budget:** \$68,442,931  
**Total District Tax Levy:** \$30,305,445  
**Estimated State Aid:** \$31,209,696

### Property Taxpayer's Bill of Rights

The assessor estimates the Full Market Value of this property as of January 1, 2009 was: \$1,792,660  
 The assessed value of the property as of March 1, 2009 was: \$1,792,660  
 The Uniform Percentage of Value used to establish assessments was: 100.00%

If you feel that your assessment is too high, you have the right to seek a reduction in the future. For further information, please ask your assessor for the booklet "How to file a Complaint on Your Assessment". Please note that the period for filing complaints on the above assessment has passed.

Exemption	Value	Tax Purpose	Full Value Est.	** %CHANGE FROM PRIOR YEAR is the amount of change for the total Town.** Tax amount is the town rate multiplied by parcel assessment.~If 65 or older, you may be eligible for an Aged Exemption, apply by March 1st with your Town Assessor. School District code is 287.
				You must apply for Third Party Notification By: 07/01/09

### PROPERTY TAXES

Taxing Purpose	Total Tax Levy	% Change from Prior Year	Taxable Value or Units	Rate per \$1000 or Per Unit	Tax Amount
Horseheads School	13,994,095	3.0%	1,792,660.00	17.762934	31,842.90

If Paid By	Penalty	Fee Amount	Total Due	<b>TOTAL TAXES</b>	<b>\$31,842.90</b>
09/30/09			31,842.90		
11/02/09	3.00%	955.29	32,798.19		

⌵ Detach Here ⌵

### To whom it may concern:

This is to certify the following information which is contained in the official Real Property Tax Records of the HORSEHEADS CENTRAL SCHOOL DISTRICT:

**Bill No. 010239**  
**Parcel 073489 69.05-2-3.4**  
**Owner Hardinge Technology**  
**Location 1 Hardinge**

**TAX AMOUNT: 31,842.90**  
**TAX PAID: 60,838.05**  
**TAX BALANCE DUE: -28,995.15**

Payment Date	Payor	Check #	Tax Paid	Fee Paid
09/29/09	Hardinge Technology	0929-0020	60,838.05	

Tax Collector

*Revised tax bill*