

COUNTY OF ALBANY
DIVISION OF FINANCE

D E P O S I T T R A N S M I T T A L

Division of Finance, Cash Receipts, 112 State Street, Suite 117, Albany, New York 12207

Office: (518) 447-7070, Fax: (518) 447-5516

PLEASE PRINT OR TYPE INFORMATION

DEPARTMENT: Finance, Division of



ADDRESS: 112 State St

Total Number of Checks: 3

Total Amount of Checks: \$200,000.00

Total Amount of Cash: \$0.00

Total Deposit: \$200,000.00

<u>ORG</u>	<u>OBJECT</u>	<u>PROJECT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>A</u>	<u>00690</u>	<u></u>	<u>P/S 75-83 CLINTON AVE (3 CKS)#753-5</u>	<u>\$ 50,000.00</u>
<u></u>	<u></u>	<u></u>	<u>CK#518758752-6</u>	<u>\$ 75,000.00</u>
<u></u>	<u></u>	<u></u>	<u>#091575655</u>	<u>\$ 75,000.00</u>
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VERIFIED BY: *[Signature]*
TITLE: TRM

DATE: 4/29/2024

If Problems with Deposit, Contact: _____ Phone: _____

FOR OFFICE USE ONLY: DIVISION OF FINANCE	PAID RECEIPT STAMP
RECEIVED BY (Initial): _____	

OFFICIAL CHECK

091573655

62-20
311

Date: 04/29/2024



237 - Loudonville
Loudonville, New York

Remitter: PHILIPPA P GARLAND WILCOX

\$ 75,000.00 ***

Pay To The Order Of ALBANY COUNTY FINANCE DEPARTMENT

Pay: SEVENTY-FIVE THOUSAND DOLLARS AND 00 CENTS

Drawer: KeyBank

Veri

Issued by: Citibank N.A. One Penn's Way, New Castle, DE 19720
For information about this instrument, call: 1-888-556-5142

AUTHORIZED SIGNATURE

Memo: Property Taxes



HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

Citizens

057-0012
0115

518758752-6

April 29 2024

PAY **** \$75,000.00 **** DOLLARS

TO THE ORDER OF * Albany County Finance Departments *

MEMO:

Drawer: Citizens Bank, N.A.



Security Features Details on Back.

Veri NY03 MP
AUTHORIZED SIGNATURE



HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

Citizens

057-0012
0115

518758753-5

April 29 2024

PAY **** \$50,000.00 **** DOLLARS

TO THE ORDER OF * Albany County Finance Departments *

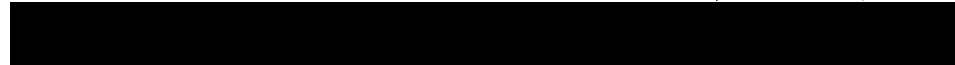
MEMO:

Drawer: Citizens Bank, N.A.



Security Features Details on Back.

Veri NY03 MP
AUTHORIZED SIGNATURE



**STATE OF NEW YORK
COUNTY COURT COUNTY OF ALBANY**

SETTLEMENT AGREEMENT

In the Matter of the "In Rem" Delinquent Tax Lien
Foreclosure Proceeding brought pursuant to Article
Eleven, Title 3 of the Real Property Tax Law

**MOTION FOR ORDER
GRANTING SUMMARY
JUDGMENT DISMISSING
ANSWER, FINAL JUDGMENT
OF FORECLOSURE,
EXECUTION AND WRIT OF
ASSISTANCE AS TO
AFFIDAVIT IN SUPPORT
OF MOTION FOR ORDER
GRANTING SUMMARY
JUDGMENT DISMISSING
ANSWER, FINAL JUDGMENT
OF FORECLOSURE,
EXECUTION AND WRIT
OF ASSISTANCE AS TO
PARCEL Nos. ALBANY
9130-08-1380 (75 Clinton
Avenue, City of Albany),
9130-08-1381 (77 Clinton
Avenue, City of Albany),
9130-08-1382 (79 Clinton
Avenue, City of Albany),
9130-08-1383 (81 Clinton
Avenue, City of Albany) and
9130-08-1384 (83 Clinton
Avenue, City of Albany)**

by

THE COUNTY OF ALBANY, NEW YORK, TAX
DISTRICT,

against

The Parcels of Real Property included in the LIST OF
DELINQUENT TAXES filed on January 6, 2009
covering the CITY OF ALBANY, Albany County

Index No. 9130-08
RJI No. CC-12-00002
IAS Judge: Surrogate Stacy Pettit
Acting Albany County Court Judge

**SETTLEMENT AGREEMENT
AS TO**

**75 CLINTON AVENUE, CITY OF ALBANY (PARCEL NO. 9130-08-1380)
AND 77 CLINTON AVENUE, CITY OF ALBANY (PARCEL NO. 9130-08-1381)**

WHEREAS the County of Albany, New York, Tax District ("Tax District") has
pursuant to Article 11, Title 3 of the Real Property Tax Law brought the above captioned
Motion against 75,77,79,81 and 83 Clinton Avenue in the City of Albany, and

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ALBANY COUNTY CLERK
APR 26 PM 2:10

WHEREAS said Motion has been resolved as to 79, 81 and 83 Clinton Avenue,
and

WHEREAS the U.S. Supreme Court decision in May 2023 in the matter of Tyler v Hennepin County resulted in moratoria and amendments pending with respect to the NYS RPTL, and

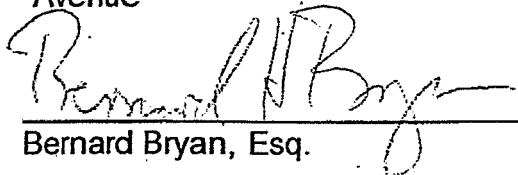
WHEREAS in light of said U.S. Supreme Court decision the Tax District seeks to avoid potential costly litigation” in State and Federal Courts regarding the “market value” of a longstanding cornerstone funeral home business located at 75 and 77 Clinton Avenue, and

WHEREAS the Tax District will as the result of this Settlement Agreement subsequently receive payment in full of the \$84,084.65 delinquent real property tax bill on 77 Clinton Avenue, together with statutory interest due on the date of payment (currently an additional \$70,519.21 in interest accrued through April 30, 2024), thus resolving the above captioned pending proceeding against 75 and 77 Clinton Avenue, and

WHEREAS the Tax District and the Estate of the owner of record of 75 Clinton Avenue (Parcel No. 9130-08-1380) and 77 Clinton Avenue (Parcel No. 9130-08-1381) parcels (“parties”) have agreed by and through their undersigned attorneys to resolve said proceeding as to said parcels as follows:

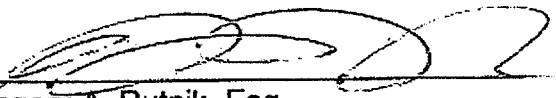
1. With respect to 75 Clinton Avenue, upon receipt from the Estate of the former owner of record of the sum of \$200,000.00 in certified funds, the Tax District will request that this Court grant Judgment against 75 Clinton Avenue in this proceeding;
2. The Tax District will when said Judgment has been granted request legislative action by the County Legislature to convey 75 Clinton Avenue back to the Estate of its former owner. This conveyance will provide the Estate of its former owner with equity to secure a conventional mortgage to make needed repairs and redeem the delinquent real property taxes on 77 Clinton Avenue then owing to the Tax District;
3. The Tax District will not object to the Court adjourning this matter to June 6, 2024 to allow the County Legislature time to consider and potentially approve this Settlement Agreement; and
4. If this settlement proposal is not approved by the County Legislature, it will become null and void and the full sum of \$200,000.00 will be returned to the Estate of the former owner of record of 75 Clinton Avenue via its undersigned attorney.

Attorney for the Estate of the former
Owner of Record of 75 and 77 Clinton
Avenue


Bernard Bryan, Esq.

Date signed: April 18, 2024

EUGENIA KOUTELIS CONDON
Albany County Attorney
Attorney for the Tax District

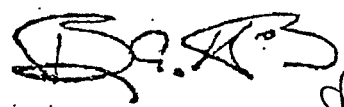
By 
Gregory A. Rutnik, Esq.
Assistant Albany County Attorney

Date signed: April 17, 2024

THE ABOVE SETTLEMENT AGREEMENT OF THE PARTIES
IS HEREBY SO ORDERED


SURROGATE STACY L. PETTIT
Acting Albany County Court Judge

Signed on April 25, 2024 at Albany New York

9/ 
B
42624