

STATE OF VERMONT

CHITTENDEN SUPERIOR COURT

CHITTENDEN COUNTY, SS.

Docket No. S0065-10 CnC

|                       |   |
|-----------------------|---|
| STANFORD and DOROTHEA | ) |
| TAYLOR,               | ) |
| Appellants            | ) |
|                       | ) |
| v.                    | ) |
|                       | ) |
| CITY OF BURLINGTON,   | ) |
| Appellee              | ) |

STIPULATED JUDGMENT

NOW COME THE PARTIES, Stanford and Dorothea Taylor, Appellants and property owners in the City of Burlington, Vermont, through their attorneys, Collins McMahon & Harris, PLLC, and the City of Burlington, Vermont, Appellee, though its attorney, Richard Haesler, Esq., and agree to settle the above-captioned dispute as set forth in this Stipulated Judgment proposed to the Court on the date(s) set forth herein.

WHEREAS, Appellants are the owners of land and premises located at 25 Oakledge Drive, Burlington, Vermont, with a Parcel ID # 056-2-007-000 (“Property”); and

WHEREAS, for the tax year 2009-2010, the City Assessor assessed the Property at a value of \$2,608,900; and

WHEREAS, Appellants appealed the Property assessment to the City Board of Tax Appeals (“BTA”); and

WHEREAS, on December 16, 2009, the BTA issued a decision setting the grand list assessed value at \$2,608,900; and

WHEREAS, on January 15, 2010, Appellants appealed the Property’s grand list assessed

value to Superior Court; and

WHEREAS, a subsequent lot line adjustment has increased the lot size for the parcel in question (i.e. the Property) by .70 acres thereby increasing the Property's value (effective tax year 2010-2011); and

WHEREAS, this Stipulated Judgment is intended to settle any and all claims for tax years 2009-2010, 2010-2011, 2011-2012.

NOW THEREFORE, as a compromise to avoid further litigation, the parties agree to settle their dispute based upon the following terms:

1. The Property's grand list assessed value for tax year 2009-2010 shall be \$2,500,000.
2. The Property's grand list assessed value for tax year 2010-2011 shall be \$2,628,000.
3. The Property's grand list assessed value for tax year 2011-2012 shall be \$2,628,000.
4. It is agreed and stipulated that Appellants have paid all taxes due to date for tax year 2009-2010 and tax year 2010-2011 and that Appellants shall be refunded (with interest as provided for by statute) within thirty (30) days of the Court's acceptance of and entering judgment of this Stipulated Judgment for excess monies paid over and above the taxes on the Property in tax year 2009-2010 and 2010-2011 as recalculated per the stipulated grand list assessed values for tax year 2009-2010 and 2010-2011 above.
5. The parties agree that, at the end of the three tax years identified above, each party shall have whatever rights exist pursuant to applicable statute in regard to any appraisal made as of April 1, 2012 or thereafter.
6. This Stipulated Judgment reflects the entire agreement between the

parties.

7. The Parties have duly authorized their counsel of record to enter into this Stipulated Judgment.

DATED AT Burlington, Vermont this \_\_\_\_ day of December, 2010.

City of Burlington, VT

Stanford and Dorothea Taylor

By: Attorney for the City of Burlington  
Burlington City Attorney's Office

By: Attorney for Stanford and Dorothea Taylor  
John J. Collins, Esq.

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SO ORDERED

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Hon. Helen M. Toor, Presiding