

**IN THE COURT OF COMMON PLEAS
OF THE 37TH JUDICIAL DISTRICT OF PENNSYLVANIA
WARREN COUNTY BRANCH**

WAL MART REAL ESTATE BUSINESS TRUST,)	Docket No. 2020-00520
)	
)	
Appellant)	Stipulation to Settle
)	
v.)	
)	
WARREN COUNTY BOARD OF ASSESSMENT APPEALS,)	Filed on behalf of:
)	Warren County and Warren County School
)	District
)	
Appellee)	
)	
v.)	Counsel of record for this party:
)	Michael Musone, Esq.
WARREN COUNTY, WARREN COUNTY SCHOOL DISTRICT and CONEWANGO TOWNSHIP)	120 West Tenth Street
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Intervenors)	mmusone@kmgslaw.com
)	

WAL MART REAL ESTATE BUSINESS TRUST)	IN THE COURT OF COMMON PLEAS OF
)	THE 37TH JUDICIAL DISTRICT OF
)	PENNSYLVANIA
Appellant)	
)	WARREN COUNTY – CIVIL
v.)	
)	
WARREN COUNTY BOARD OF ASSESSMENT APPEALS,)	Docket No. 2020-00520
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Appellee)	
)	
v.)	
)	
WARREN COUNTY, WARREN COUNTY SCHOOL DISTRICT and CONEWANGO TOWNSHIP)	
)	
Intervenors)	

STIPULATION TO SETTLE

WHEREAS, the Taxpayer, Wal Mart Real Estate Business Trust, is the owner of the property located at 2901 Market Street, Conewango Township, Warren County, PA, with Parcel No. WN-005-429800-000.

WHEREAS, Taxpayer filed an assessment appeal to the Board of Assessment appeals of Warren County and thereafter an appeal was filed to this Honorable Court.

WHEREAS, based upon the risks and hazards of litigation, the parties have decided that it is in their best interest to settle the above-captioned matter based upon the terms and conditions outlined in this Stipulation to Settle.

NOW, THEREFORE, the undersigned, intending to be legally bound and to bind their respective clients, agree to the following settlement.

1. The assessment for the property identified above shall be set at an assessed value of:

(a) \$1,589,000 for tax year 2021; and

(b) \$1,449,000 for tax year 2022.

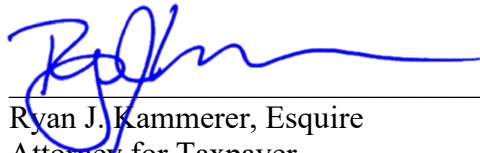
2. The assessed value of \$1,449,000 shall remain unless changed by reason of an assessment appeal, countywide reassessment, physical change in the property, or otherwise as permitted by applicable law.

3. To the extent the Taxpayer overpaid taxes based on the new assessed values, the taxing districts shall issue refunds for these overpayments.

4. The parties acknowledge that this Stipulation to Settle is a compromise of an existing matter. If there is any subsequent appeal filed by any party or successor in interest then the value agreed to herein is inadmissible in any other proceeding.

5. The parties agree that the Court should enter an Order in the form attached setting the assessed value as hereinabove set forth and ordering that the case be marked settled, discontinued and ended.

6. This Stipulation may be executed in one or more counterparts, all of which together shall be one instrument and all of which shall be considered duplicate originals. A signed faxed or PDF copy of this Stipulation shall have the same force and effect as the original signed Stipulation.



Ryan J. Kammerer, Esquire
Attorney for Taxpayer,
Wal Mart Real Estate Business Trust

Michael J. Musone, Esquire
Solicitor for Warren County School District

Michael J. Musone, Esquire
Solicitor for Warren County

Authorized Representative for Conewango Township

Authorized Representative for Warren County Board of Assessment Appeals

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ORDER

AND NOW, this ____ day of , 2022, upon review of the Stipulation to Settle among the parties attached hereto, the Stipulation to Settle this assessment appeal is approved and the Warren County Board of Assessment Appeals is hereby ordered to change the assessment on the Warren County Tax Parcel Number WN-005-429800-000 from \$3,230,442 to:

\$1,589,000 for tax year 2021; and
\$1,449,000 for tax year 2022.

The Prothonotary of Warren County is directed to mark the above case settled and discontinued.

BY THE COURT:

J.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the ____ day of May, 2022, a copy of the within document was served on all counsel of record and unrepresented parties in accordance with the applicable rules of court.

Conewango Township
4 Fireman Street
Warren, Pennsylvania 16365

Warren County Board of Assessment Appeals
204 Fourth Avenue
Warren, Pennsylvania 16365

Ryan J. Kammerer, Esq.
Sharon F. DiPaolo, Esq.
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Pittsburgh, Pennsylvania 15238

Michael J. Musone

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Michael J. Musone