

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>KMART CORPORATION,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>LARIMER COUNTY BOARD OF EQUALIZATION.</b></p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Barry J. Goldstein, Esq. Sterling Equities Inc.</p> <p>Address: 950 S. Cherry St., #320 Denver, CO 80246</p> <p>Phone Number: 303-757-8865</p> <p>Attorney Reg. No.: 2218</p>	<p><b>Docket Number: 38639</b></p>
<p><b>ORDER ON STIPULATION</b></p>	

**THE PARTIES TO THIS ACTION** entered into a Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this decision.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject property is described as follows:

**County Schedule No.: R1590903**

**Category: Valuation**

**Property Type: Commercial**

2. Petitioner is protesting the 2001 actual value of the subject property.

3. The parties agreed that the 2001 actual value of the subject property should be reduced

3. The parties agreed that the 2001 actual value of the subject property should be reduced to:

Land	\$311,000.00
Improvements	<u>\$524,700.00</u>
Total	\$835,700.00

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2001 actual value of the subject property, as set forth above.

The Larimer County Assessor is directed to change his/her records accordingly.

**DATED/MAILED** this 24<sup>th</sup> day of December, 2002.

This decision was put on the record

December 23, 2002

**BOARD OF ASSESSMENT APPEALS**

Karen E Hart

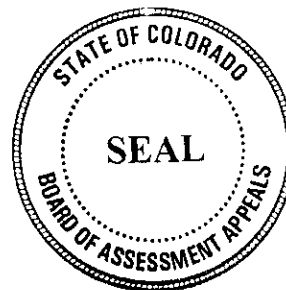
Karen E. Hart

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals

Debra A. Baumbach

Debra A. Baumbach

Mary J. Helfer  
Mary J. Helfer



**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number(s): 38639  
County Schedule Number: R1590903

Parcel # 95103-76-002

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**STIPULATION (As To Tax Year 2001 Actual Value)**

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Petitioner(s) K- Mart Corporation,  
C/O Burr Wolf, LP  
vs.

LARIMER COUNTY BOARD OF EQUALIZATION,  
Respondent

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BOARD OF ASSESSMENT APPEALS

Petitioner(s) and Respondent hereby enter into this stipulation regarding the tax year **2001** valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

The Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as: **A Class "C", average quality, 1 story Discount Store built in 1980 and remodeled in 1992.**
2. The subject property is classified a COMMERCIAL property.
3. The County Assessor originally assigned the following actual value on the subject property:

Land	\$	311,000
Improvements	\$	539,000
Total	\$	<u>850,000</u>

4. After a timely appeal to the Board of Equalization, the Board of Equalization valued the subject property as follows

Land	\$	311,000
Improvements	\$	539,000
Total	\$	<u>850,000</u>

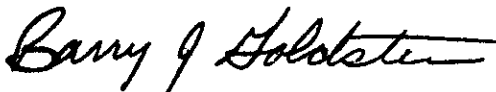
5. After further review and negotiation, the Petitioner(s) and County Board of Equalization agree to the following tax year 2001 value for the subject property.

Land	\$	311,000
Improvements	\$	524,700
Total	\$	<u>835,700</u>

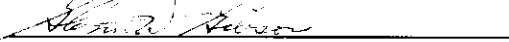
6. The valuations, as established above, shall be binding only with respect to tax year 2001
7. Brief narrative as to why the reduction was made: After further review of the cost, market and income approaches to value, it was determined to adjust the valuation accordingly.
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **not yet determined** be vacated.

DATED this 2<sup>nd</sup> day of December, 2002

Barry Goldstein, Esq\_ #2218  
Petitioner(s) Representative



GLENN GIBSON, CHAIR OF THE  
LARIMER COUNTY BOARD OF EQUALIZATION



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Docket Number 38639 StipCnty.mst