

<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>CRAIG PARTNERS BY KMART CORP.,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>MOFFAT COUNTY BOARD OF EQUALIZATION.</b></p>	▲
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Barry J. Goldstein, Esq. Address: 950 South Cherry St. #320 Denver, CO 80246 Phone Number: (303) 757-8865 E-mail: Attorney Registration No.: 2218</p>	<p><b>Docket Number: 38644</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.: 08065735300009**  
**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 to:

Land	\$	0.00
Improvements	\$	<u>950,000.00</u>
Total		\$950,000.00

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 Moffat County Assessor is directed to change his records accordingly.

**DATED/MAILED** this 21<sup>st</sup> day of March, 2002.

This decision was put on the record

March 20, 2002

**BOARD OF ASSESSMENT APPEALS**

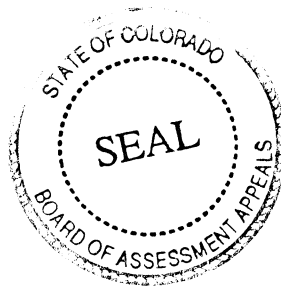
Karen E Hart  
Karen E. Hart

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

Penny S. Bunnell  
Penny S. Bunnell

Docket Number 38644



**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: 38644  
Single County Schedule Number: 08065735300009

STIPULATION (As to Tax Year 2001 Actual Value)

CRAIG PARTNERS BY K-MART CORP.

Petitioner,

vs.

MOFFAT COUNTY BOARD OF EQUALIZATION,

Respondent.

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STATE OF COLORADO  
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.

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

1. The property subject to this stipulation is described as:  
2355 WEST VICTORY WAY, CRAIG, CO 81625  
1 P L T7N R91W SEC 35 A TRACT IN E2SE4SW4

2. The subject property is classified as Commercial (what type of property).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2001:

Land	\$	<u>                    .00</u>
Improvements	\$	<u>  1,440,452.00</u>
Total	\$	<u>  1,440,452.00</u>

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

Land	\$	<u>                    .00</u>
Improvements	\$	<u>  1,440,452.00</u>
Total	\$	<u>  1,440,452.00</u>

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

Land	\$	_____	.00
Improvements	\$	950,000	.00
Total	\$	950,000	.00

6. The valuation, as established above, shall be binding only with respect to tax year 2001.

7. Brief narrative as to why the reduction was made:  
Review of income approach resulted in adjustment to rental rate.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on March 22, 2002 (date) at 8:30 a.m. (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 14 day of March, 2002.

Barry J. Goldstein  
Petitioner(s) or Agent or Attorney #2218

Kathleen H. Zier #11065  
County Attorney for Respondent,  
Board of Equalization

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County Assessor

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Docket Number 38644