

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>MARKETPLACE EAST ASSOCIATES LP II,</p> <p>v.</p> <p>Respondent:</p> <p>EL PASO COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Barry J. Goldstein, Esq. Address: 950 S. Cherry Street, Suite 320 Denver, CO 80246 Phone Number: (303) 757-8865 E-mail: Attorney Registration No.: 2218</p>	<p>Docket Number: 40423</p>
<p>ORDER ON STIPULATION</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.: 63361-19-009
Category: Valuation **Property Type: Commercial**

2. Petitioner is protesting the 2002 actual value of the subject property.

3. The parties agreed that the 2002 actual value of the subject property should be reduced to:

Land	\$1,193,435.00
Improvements	<u>\$4,703,715.00</u>
Total	\$5,897,150.00

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2002 actual value of the subject property, as set forth above.

The El Paso County Assessor is directed to change his records accordingly.

DATED/MAILED this 6th day of September, 2002.

This decision was put on the record

September 5, 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: 40423



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: **40423**
Single County Schedule Number: **63361-19-009**

STIPULATION (As to Tax Year **2002** Actual Value)

Marketplace East Associates LP II

Petitioner(s),

vs.

EL PASO COUNTY BOARD OF EQUALIZATION,

Respondent

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STATE OF COLORADO
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Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year **2002** valuation of the subject property, and jointly move the Board of Assessment Appeals to enter it's order based on this Stipulation.

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

1. The property subject to this Stipulation is described as:

LOT 1 SAFEWAY MARKETPLACE EAST FIL NO 5 PLAT #10664

2. The subject property is classified as **Commercial** property.

3. The County Assessor originally assigned the following actual value to the subject property for tax year **2002**:

Land:	\$1,193,435.00
Improvements:	\$6,472,518.00
Total:	\$7,665,953.00

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

Land:	\$1,193,435.00
Improvements:	\$6,472,518.00
Total:	\$7,665,953.00

5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year **2002** actual value for the subject property:

Land: **\$1,193,435.00**
Improvements: **\$4,703,715.00**
Total: **\$5,897,150.00**

6. The valuation, as established above, shall be binding only with respect to tax year **2002**.

7. Brief narrative as to why the reduction was made:

Actual income and expenses were provided by the agent for the petitioner.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on _____ at _____ be vacated; or, a hearing has not yet been scheduled before the Board of Assessment Appeals. (check if appropriate.)

DATED this **3rd** day of **September, 2002**

Barry Goldstein

Barry Goldstein II 2218
Agent for Petitioner

John M. Campbell

County Attorney for Respondent, 5747
Board of Equalization

Address: **950 South Cherry Street, Ste. 320**
Denver, CO 80246

Address: **27 East Vermijo**
Colorado Springs, CO 80903

Telephone: **(303) 757-8865**

Telephone: **(719) 520-6485**

Judith A. Stedee

County Assessor
Chief Appraiser

Address: **27 East Vermijo**
Colorado Springs, CO 80903

Telephone: **(719) 520-6605**

Docket Number: **40423**
StipCnty.mst

Single Schedule No.