

<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>B.D. II LTD. BY KMART CORPORATION,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>ARAPAHOE 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., Suite 320 Denver, CO 80246 Phone Number: (303) 757-8865 Attorney Reg. #: 2218</p>	<p><b>Docket Number: 40590</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.: 2077-15-2-01-089**

**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	\$1,828,218.00
Improvements	<u>\$4,451,782.00</u>
Total	\$6,280,000.00

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

**DATED/MAILED** this 22<sup>nd</sup> day of July, 2004.

This decision was put on the record

July 20, 2004

**BOARD OF ASSESSMENT APPEALS**

*Karen E Hart*

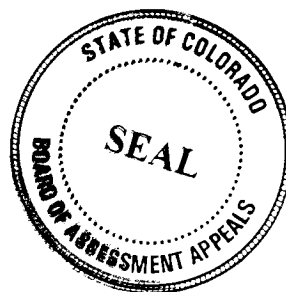
Karen E. Hart

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. Lowenthal*  
Penny S. Lowenthal



**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO  
DOCKET NUMBER 40590**

STIPULATION (As To Tax Year 2002 Actual Value)

**B.D. II LTD BY KMART CORPORATION,**

Petitioner,

vs.

**ARAPAHOE COUNTY BOARD OF EQUALIZATION,**

Respondent.

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CLERK OF DISTRICT COURT

THE PARTIES TO THIS ACTION entered into a Stipulation, regarding the tax year 2002 valuation of the subject property and jointly move the Board of Assessment Appeals to enter its Order based on this stipulation. A conference call with the petitioner and respondent have resulted in the following agreement:

Subject property is classified as merchandising described as follows: 200 W. Belleview Ave.; County Schedule Number 2077-15-2-01-089; RA 331-005.

A brief narrative as to why the reduction was made: Analyzed cost, market and income information.

The parties have agreed that the 2002 actual value of the subject property should be reduced as follows:

ORIGINAL VALUE		NEW VALUE (2002)	
Land	\$ 1,828,218	Land	\$ 1,828,218
Improvements	\$ 5,171,782	Improvements	\$ 4,451,782
Personal	\$	Personal	\$
Total	\$ 7,000,000	Total	\$ 6,280,000

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

Both parties agree that the hearing before the Board of Assessment Appeals be vacated or is unnecessary if one has not yet been scheduled.

DATED this 12<sup>th</sup> day of July 2004.

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