

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>GMS REALTY LLC BY KMART CORPORATION,</p> <p>Respondent:</p> <p>DENVER COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Barry J. Goldstein Sterling Equities, Inc. Address: 950 S. Cherry Street, Suite 330 Denver, Colorado 80246 Phone Number: 303-757-8865 Attorney Reg. No.: 2218</p>	<p>Docket Number: 40613</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 Nos.: 09154-00-012-000

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	\$ 1,608,400
Improvements	\$ 2,891,600
Total	\$ 4,500,000

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 Denver County Assessor is directed to change his records accordingly.

DATED/MAILED this 14th day of January, 2003.

This decision was put on the record

January 13, 2003

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 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 40613 Schedule Number: 9154-00-012 03 JAN - 9 PM 2:25 RECEIVED
Petitioner: KMART/GMS REALTY, v. Respondent: DENVER COUNTY BOARD OF EQUALIZATION	
Attorneys for Denver County Board of Equalization J. Wallace Wortham, Jr. #5969 City Attorney Maria Kayser #15597 Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3286 Facsimile: 720-913-3180	
STIPULATION (As To Tax Year 2002 Actual Value)	

Petitioner, KMART/GMS REALTY, and Respondent, Denver County Board of Equalization, hereby enters into this 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.

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

1. The property subject to this Stipulation is described as:
 8500 Crestline Av.
 Denver, Colorado
2. The subject property is classified as commercial property.
3. The County Assessor originally assigned the following actual value on the subject property for tax year 2002:

Land	\$1,608,400
Improvements	<u>\$3,793,400</u>
Total	\$5,401,800

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

Land	\$1,608,400
Improvements	<u>\$3,793,400</u>
Total	\$5,401,800

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

Land	\$1,608,400
Improvements	<u>\$2,891,600</u>
Total	\$4,500,000

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

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

BAA order for 2001 appeal.

8. A hearing has not been scheduled before the Board of Assessment Appeals.

DATED this 23rd day of December, 2002.

Attorney for Petitioner

DENVER COUNTY BOARD OF
EQUALIZATION

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