

<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>ADAMS COUNTY BOARD OF COMMISSIONERS.</b></p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Sterling Equities Inc Barry J. Goldstein, Esq</p> <p>Address: 950 S. Cherry St #320 Denver, CO 80246</p> <p>Phone Number: (303) 757-8865</p>	<p><b>Docket Number: 41249</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.: R0114338A**

**Category: Refund/Abatement**

**Property Type: Commercial**

2. Petitioner is protesting the 2000 actual value of the subject property.

3. The parties agreed that the 2000 actual value of the subject property should be reduced to:

Land	\$ 1,349,991.00
Improvements	<u>\$23,650,009.00</u>
Total	\$25,000,000.00

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2000 actual value of the subject property, as set forth above.

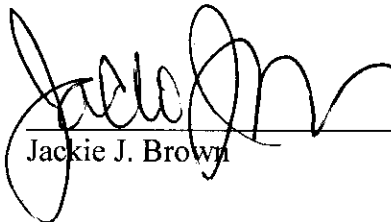
The Adams County Assessor is directed to change his/her records accordingly.

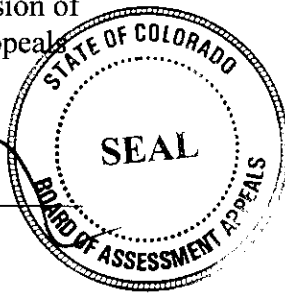
**DATED/MAILED** this 22<sup>nd</sup> day of November, 2003.

This decision was put on the record

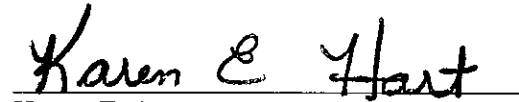
November 20, 2003


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

  
Jackie J. Brown



**BOARD OF ASSESSMENT APPEALS**

  
Karen E. Hart

  
Debra A. Baumbach

BOARD OF ASSESSMENT APPEALS, State of Colorado 1313 Sherman Street, Room 315 Denver, CO 80203	<div style="text-align: right;"> <p>RECEIVED</p> <p>03 NOV 20 PM 1:05</p> <p>STATE OF COLORADO          BOARD OF ASSESSMENT APPEALS</p> <p>▲ COURT USE ONLY</p> <hr/> <p>Docket Number: 41249          County Schedule Number:          R0114338A</p> </div>
<b>Petitioner:</b> KMART CORPORATION,  <b>Respondent:</b> ADAMS COUNTY BOARD OF EQUALIZATION.	
JAMES D. ROBINSON, #5899 ADAMS COUNTY ATTORNEY Jennifer Wascak Leslie, #29457 Assistant County Attorney 450 S. 4 <sup>th</sup> Avenue Brighton, CO 80601 Telephone: 303-654-6116 Fax: 303-654-6114	
<b>STIPULATION (As to Abatement/Refund for Tax Year 2000)</b>	

Petitioner and Respondent hereby enter into this Stipulation regarding the tax year 2000 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:  
     18875 Bromley Lane, Brighton, Adams County, Colorado
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 2000:

Land	\$ 1,349,991
Improvements	\$ 28,028,407
Total	\$ 29,378,398

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

Land	\$ 1,349,991
Improvements	\$ 28,028,407
Total	\$ 29,378,398

5. After further review and negotiation, Petitioner and County Board of Equalization agree to the following tax year 2000 actual value for the subject property:

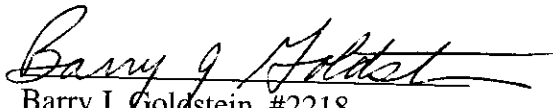
Land	\$ 1,349,991
Improvements	\$ 23,650,009
Total	\$ 25,000,000

6. The valuation, as established above, shall be binding only with respect to tax year 2000.

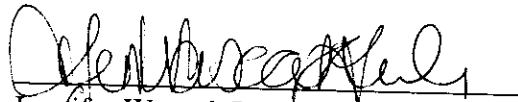
7. Brief narrative as to why the reduction was made: reduction to market value.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on December 1, 2003 at 8:30 a.m. be vacated.

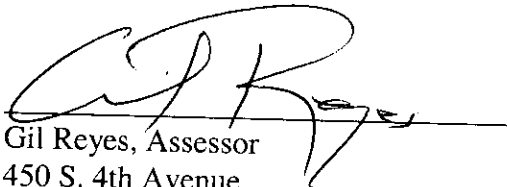
DATED this 19<sup>th</sup> day of November, 2003.



Barry J. Goldstein, #2218  
Sterling Equities, Inc.  
950 S. Cherry St., #320  
Denver, CO 80246  
Telephone: 303-757-8865



Jennifer Wascak Leslie, #29457  
Assistant County Attorney for Respondent  
450 S. 4th Avenue  
Brighton, CO 80601  
Telephone: 303-654-6116



Gil Reyes, Assessor  
450 S. 4th Avenue  
Brighton, CO 80601  
Telephone: 303-654-6038

Docket Number: 41249