

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>SAFEWAY STORES 46, INC.,</p> <p>v.</p> <p>Respondent:</p> <p>MONTEZUMA COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Dan George 1st Net Real Estate Services, Inc. Address: 3333 S. Wadsworth Blvd., Ste. 200 Lakewood, CO 80227 Phone Number: 720.962.5750</p>	<p>Docket Number: 43618</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.: R008847

Category: Valuation Property Type: Commercial
2. Petitioner is protesting the 2004 actual value of the subject property.

3. The parties agreed that the 2004 actual value of the subject property should be reduced to:

Land:	\$ 382,730.00
Improvements:	<u>\$3,867,270.00</u>
Total:	\$4,250,000.00

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2004 actual value of the subject property, as set forth above.

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

DATED/MAILED this 2nd day of April, 2005.

This decision was put on the record

April 1, 2005

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

Keela K. Steele
Keela K. Steele



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 43618
Single County Schedule Number: 561125222001

STIPULATION (As to Abatement/Refund for Tax Year 2004)

Safeway Stores 46 Inc.

Petitioner,

vs.

Montezuma COUNTY BOARD OF COMMISSIONERS,

Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2004 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:
Lot 1, Safeway at Cortez Subdivision situated in Section 25,
Township 36, Range 16. Situs address 1500 E. Main Street,
Cortez, Colorado in Montezuma County

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 2004:

Land	\$ <u>382,730.00</u>
Improvements	\$ <u>4,033,780.00</u>
Total	\$ <u>4,416,510.00</u>

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

Land	\$ <u>382,730.00</u>
Improvements	\$ <u>4,033,780.00</u>
Total	\$ <u>4,416,510.00</u>

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5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year 2004 actual value for the subject property:


Land	\$	<u>382,730.00</u>
Improvements	\$	<u>3,867,270.00</u>
Total	\$	<u>4,250,000.00</u>

6. The valuation, as established above, shall be binding only with respect to tax year 2004.

7. Brief narrative as to why the reduction was made:
Subject property exhibits economic obsolescence.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on April 4, 2005 (date) at 1:00 PM (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

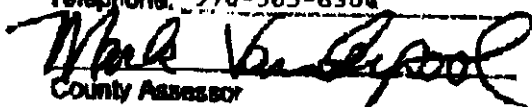
DATED this 28th day of March, 2005.


Petitioner(s) or Agent or Attorney


County Attorney for Respondent,
Board of Commissioners

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3333 S. Wadsworth Blvd
Suite 200
Lakewood, Colorado 80227
Telephone: 720-962-5750

Address:
P.O. Drawer JJ
Cortez, Colorado 81321
Telephone: 970-565-6304


County Assessor

Address:
109 W. Main Street, Room 110
Cortez, Colorado 81321
Telephone: 970-565-3428

Docket Number 43610