

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 43690
Petitioner: CCA PROPERTIES OF AMERICA LLC, v. Respondent: KIT CARSON COUNTY BOARD OF EQUALIZATION.	
ORDER ON STIPULATION	

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.: 3650003

Category: Valuation Property Type: Commercial Real
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:

Total Value: \$27,500,000
 (Reference Attached Stipulation)
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 Kit Carson County Assessor is directed to change his/her records accordingly.

DATED AND MAILED this 9th day of September 2005.

BOARD OF ASSESSMENT APPEALS

This decision was put on record

September 8, 2005

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 Steele

Keela Steele



<p>BOARD OF ASSESSMENT APPEALS, DENVER COUNTY, COLORADO</p> <p>BAA Address: 1330 Sherman Street Room 315 Denver, CO 80203</p>	<p style="text-align: center;">^COURT USE ONLY^</p>
<p>CORRECTIONS CORPORATION OF AMERICA, PETITIONER, VS. KIT CARSON COUNTY BOARD OF EQUALIZATION, RESPONDENT.</p>	
<p>ATTORNEY FOR RESPONDENT:</p> <p>Wade H. Gateley, Esq. County Attorney, Kit Carson County Address: 366 14th Street P.O. Box 266 Burlington, CO 80807 (719) 346-5427 Fax: (719) 346-5453</p> <p>Atty. Reg #: 12284</p>	<p style="text-align: center;">DOCKET NO. 43690 COUNTY SCHEDULE NO. 36500003-R</p>
<p>STIPULATION (AS TO TAX YEAR 2004 ACTUAL VALUE)</p>	

COME NOW The Petitioner, Corrections Corporation of America, by and through its undersigned attorney, Kenneth S. Kramer of Berenbaum, Weinshienk & Eason and the Respondent, Kit Carson County Board of Equalization, by and through its undersigned attorney, Wade H. Gateley, and hereby enter 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 and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as : Tract #3, Burlington CCA Annex Unplatted, Burlington, Colorado, also known as the Kit Carson Correctional Center, 49777 County Road V, Burlington, Colorado 80807, and 65 acres of agricultural land, located in Kit Carson County, Colorado.

2. The subject property is classified as commercial property, and agricultural land.

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2004:

Agricultural land	\$6,089.00
Improved Commercial Land	\$32,744.00
Commercial Improvements	\$29,961,167.00
Total	\$30,000,000.00

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

Agricultural land	\$6,089.00
Improved Commercial Land	\$32,744.00
Commercial Improvements	\$29,961,167.00
Total	\$30,000,000.00

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

Agricultural land	\$6,089.00
Improved Commercial Land	\$32,744.00
Commercial Improvements	\$27,461,167.00
Total	\$27,500,000.00

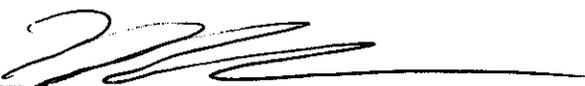
6. The valuation, as established above, shall be binding only with respect to tax year 2004.

7. Brief narrative as to why the reduction was made: The Respondent Kit Carson County Board of Equalization retained an expert witness to re-appraise the property. However, based on the fact that 2004 is an intervening year, the valuation was negotiated between the parties. Both parties agree that statutory interest shall be added to any refund of taxes paid.

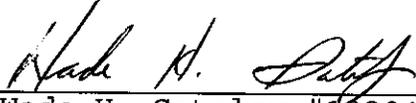
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on Monday and Tuesday, September 12th and 13th shall be vacated.

Dated this 31st day of August, 2005.

KENNETH S. KRAMER, ESQ.

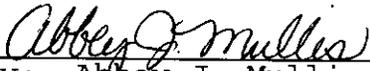

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