

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p>	<p><b>Docket Number: 46230</b></p>
<p>Petitioner: <b>PROLOGIS NORTH AMERICAN PROPERTY FUND,</b></p> <p>v.</p> <p>Respondent: <b>DENVER COUNTY BOARD OF EQUALIZATION.</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.: 01141-03-011-000**

**Category: Valuation      Property Type: Commercial Real**
2. Petitioner is protesting the 2005 actual value of the subject property.
3. The parties agreed that the 2005 actual value of the subject property should be reduced to:  
  

**Total Value:            \$7,875,000**

(Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2005 actual value of the subject property, as set forth above.

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

**DATED AND MAILED** this 11th day of July 2008.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record

July 10, 2008

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*Karen E Hart*

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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*

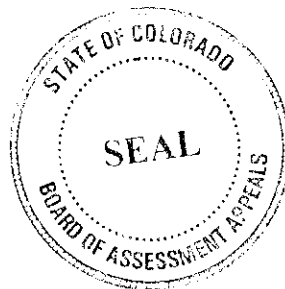
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Debra A. Baumbach

*Toni Rigirosso*

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Toni Rigirosso



<b>BOARD OF ASSESSMENT APPEALS</b> <b>STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner:  <b>PROLOGIS NORTH AMERICAN PROPERTY FUND</b>  v.  Respondent:  <b>DENVER COUNTY BOARD OF EQUALIZATION</b> Attorneys for Denver County Board of Equalization  City Attorney  Michelle Bush # Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3275 Facsimile: 720-913-3180	Docket Number:  46230  Schedule Number:  01141-03-011  2008 JUL 10 AM 10:03
<b>STIPULATION (AS TO TAX YEAR 2005 ACTUAL VALUE)</b>	

Petitioner, PROLOGIS NORTH AMERICAN PROPERTY FUND, and Respondent, DENVER COUNTY BOARD OF EQUALIZATION, hereby enters into this Stipulation regarding the tax year 2005 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:  
  
 11400 E. 53<sup>rd</sup> Ave.  
 Denver, Colorado 80239
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 2005.

Land	\$	1,488,600.00
Improvements	\$	<u>7,026,300.00</u>
Total	\$	8,514,900.00

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

Land	\$	1,488,600.00
Improvements	\$	<u>7,026,300.00</u>
Total	\$	8,514,900.00

5. After further review and negotiation, the Petitioner and Denver County Board of Equalization agree to the following actual value for the subject property for tax year 2005.

Land	\$	1,488,600.00
Improvements	\$	<u>6,386,400.00</u>
Total	\$	7,875,000.00

6. The valuations, as established above, shall be binding only with respect to tax year 2005.

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


A review of the actual levels of base period leading on the property resulted in a reduction of the rent level used in the assessor's income approach.


8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on June 5, 2008 at 1:00 PM be vacated.

DATED this 9<sup>th</sup> day of June, 2008.

Agent/Attorney/Petitioner

Denver County Board of Equalization

By:   
 Matthew W. Poling  
 1125 17th Street, Suite 1575  
 Denver, CO 80202

By:   
 Michelle Bush #  
 201 West Colfax Avenue, Dept. 1207  
 Denver, CO 80202  
 Telephone: 720-913-3275  
 Fax: 720-913-3180  
 Docket No: 46230