

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 46316</b>
Petitioner: <b>ARVADA MARKETPLACE EAST LLC,</b>  v.  Respondent: <b>JEFFERSON COUNTY BOARD OF EQUALIZATION.</b>	
<b>ORDER ON STIPULATION</b>	

**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.: 445455**  
  
**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:            \$10,450,000**  
 (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 Jefferson County Assessor is directed to change his/her records accordingly.

**DATED AND MAILED** this 6th day of February 2007.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record

February 5, 2007

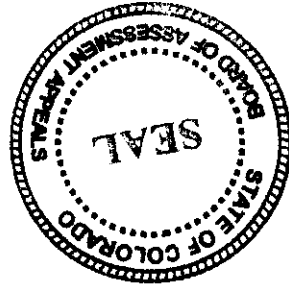
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*Karen E Hart*  
\_\_\_\_\_  
Karen E. Hart

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

*Jode Helfer*  
\_\_\_\_\_  
Jode Helfer



Colorado Board of Assessment Appeals  
CBOE APPEAL  
STIPULATION

Docket Numbers 46316, 47619

Arvada Marketplace East LLC  
Petitioner,

vs.

Jefferson County Board of Equalization  
Respondent.

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BOTH PARTIES stipulate and agree as follows:

1. The subject property is described by the following Jefferson County Property Schedule Number: 445455
2. This Stipulation pertains to the year(s): 2005 and 2006
3. The parties agree that the 2005 and 2006 actual values of the subject property shall be Stipulated Values below:

Schedule Number	CBOE Values	Stipulation Values	
445455	\$13,307,730	<b>\$10,450,000</b>	Total actual value, with
	\$2,661,550	\$2,090,000	allocated to land; and
	\$10,646,180	\$8,360,000	allocated to improvements.

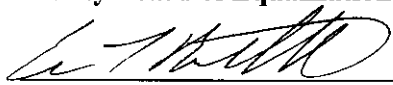
4. If the Petitioner(s) were to add improvements or add to an existing improvement, then the Assessor's Office may increase the valuation to reflect that new addition. Petitioner(s) would have all available remedies to dispute the additional assessment for the new or augmented improvements. Should an improvement be destroyed, then the Assessor's Office would make a downward adjustment in valuation to reflect the damage to or destruction of that improvement.
5. Petitioner(s) agree(s) to provide the Jefferson County Assessor, if applicable, with confidential information to assist in the appraisal process of future years. This information includes actual rent rolls, together with operating income and expense information for the property, which will be provided to the Assessor no later than March 15<sup>th</sup> of each year.
6. Petitioner(s) agrees to allow access to the improvements for the purposes of measuring or to obtain building condition information during normal business hours.
7. This valuation is for purposes of settlement only and does not reflect an appraised value.
8. Petitioner(s) agree(s) to waive the right to a Board of Assessment Appeals hearing and any further appeal of schedule number: 445455 for the assessment years(s) covered by this Stipulation.

**Petitioner (s)**

By:  #1685  
Title: A. Horney  
Phone: 303-297-2600  
Date: 2/1/07

1099 18<sup>th</sup> St. #2000  
Denver, CO 80202

**Jefferson County Board of Equalization**

By:  X  
Title: Aist. County Attorney  
Phone: 303-271-8900  
Date: 2/2/07

100 Jefferson County Parkway  
Golden, CO 80419

**BOARD OF ASSESSMENT APPEALS,  
STATE OF COLORADO**  
1313 Sherman Street, Room 315  
Denver, Colorado 80203

**Docket Number: 46316**

Petitioner:

**ARVADA MARKETPLACE EAST LLC,**

v.

Respondent:

**JEFFERSON COUNTY BOARD OF EQUALIZATION.**

**AMENDMENT TO ORDER (On Stipulation)**

**THE BOARD OF ASSESSMENT APPEALS** hereby amends its 2007 Order in the above-captioned appeal to reflect the **correct** 2005 BOE values. (See Attached Amended Stipulation)

In all other respects, the February 6, 2007 Order shall remain in full force and effect.

**DATED/MAILED** this 17<sup>th</sup> day of February, 2007.

This amendment was put on the record

February 16, 2007

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

Marian Brennan

Marian Brennan

**BOARD OF ASSESSMENT APPEALS**

Karen E Hart

Karen E. Hart

Debra A Baumbach

Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO  
DOCKET NO. 46316  
COUNTY SCHEDULE NO. 445455

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MOTION TO AMEND FINDINGS OF FACT IN ORDER ON STIPULATION

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ARVADA MARKETPLACE EAST LLC,

Petitioner (s),

Vs.

JEFFERSON COUNTY BOARD OF EQUALIZATION,

Respondent.

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Respondent requests that the Board of Assessment Appeals (the "Board") enter an amended order on stipulation regarding Docket No. 46316, amending the Findings of Fact and Conclusions by adopting the attached Amended Stipulation between the parties, and as grounds would state as follows:

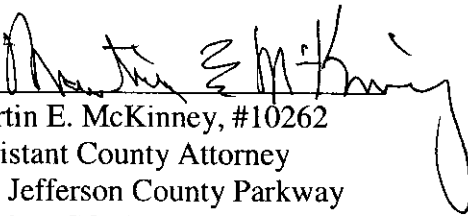
1. The Board entered an Order on Stipulation on February 6, 2007 concurring with a stipulation signed by the parties which reduced the actual value of the subject property for tax year 2005.
2. The original Stipulation erroneously stated the 2005 BOE actual value was \$13,307,730, with \$2,661,550 allocated to land and \$10,646,160 allocated to improvements, which was also the actual value for 2006, whereas the correct BOE actual value for tax year 2005 should have been listed as \$14,460,900, with \$2,892,200 allocated to land and \$11,568,700 allocated to improvements.
3. The attached Amended Stipulation corrects the error but does not change the stipulated value for 2005, which is \$10,450,000 with \$2,090,000 allocated to land and \$8,360,000 allocated to improvements.
4. The Amended Stipulation also includes the values for tax year 2006, addressed by an Order on Stipulation for Docket No. 47619, which are correct and are not affected by the Amended Stipulation; the Order for Docket No. 47619 will not need to be amended.
5. The stipulated value for tax year 2005, to which the Board's Order concurred, is not changed by the Amended Stipulation and no further changes need be made to the Jefferson County Assessor's records regarding the subject property for tax year 2005.

Wherefore the Respondent respectfully moves that the Board's Order of February 6, 2007 be amended by adopting and referencing the attached Amended Stipulation.

Respectfully submitted this 12<sup>th</sup> day of February, 2007.

Jefferson County Attorney's Office

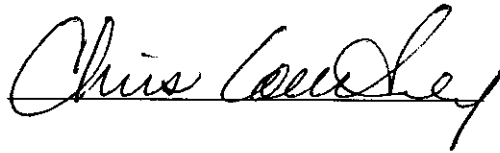
By: Ellen G. Wakeman, Deputy County Attorney, Atty. Reg. #12290

By   
Martin E. McKinney, #10262  
Assistant County Attorney  
100 Jefferson County Parkway  
Golden, CO 80419

CERTIFICATE OF MAILING

I certify that on this 13 day of February 2007, I deposited a copy of the above Motion to Amend Findings of Fact in Order on Stipulation in the United States Mail, postage prepaid, to:

Ronald S. Loser, Esq.  
Robinson, Water & D'Orisio, P.C.  
1099 18<sup>th</sup> Street, #2600  
Denver, Colorado 80202



Colorado Board of Assessment Appeals  
CBOE APPEAL  
AMENDED STIPULATION

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FEB 12 2007

Docket Number: 46316, 47619

Arvada Marketplace East LLC  
Petitioner,

JEFFERSON COUNTY  
BOARD OF EQUALIZATION

vs.

Jefferson County Board of Equalization  
Respondent.

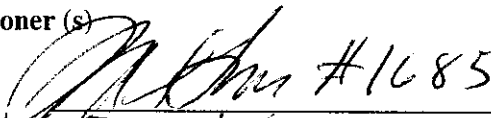
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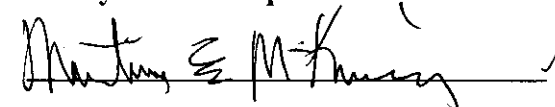
Schedule Number	2005 BOE Values	Stipulation Values	Allocation:
445455	<b>\$14,460,900</b>	<b>\$10,450,000</b>	Total actual value, with
	\$2,892,200	\$2,090,000	allocated to land; and
	\$11,568,700	\$8,360,000	allocated to improvements.
	2006 BOE Values	Stipulation Values	
	<b>\$13,307,730</b>	<b>\$10,450,000</b>	Total actual value, with
	\$2,661,550	\$2,090,000	allocated to land; and
	\$10,646,180	\$8,360,000	allocated to improvements.

4. If the Petitioner(s) were to add improvements or add to an existing improvement, then the Assessor's Office may increase the valuation to reflect that new addition. Petitioner(s) would have all available remedies to dispute the additional assessment for the new or augmented improvements. Should an improvement be destroyed, then the Assessor's Office would make a downward adjustment in valuation to reflect the damage to or destruction of that improvement.
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7. This valuation is for purposes of settlement only and does not reflect an appraised value.
8. Petitioner(s) agree(s) to waive the right to a Board of Assessment Appeals hearing and any further appeal of schedule number: 445455 for the assessment years(s) covered by this Stipulation.

Petitioner (s)

By:  #1685  
Ronald S. Losov  
 Title: \_\_\_\_\_  
 Phone: 303-297-2600  
 Date: 2/09/2007

Jefferson County Board of Equalization

By:   
 Title: Assistant County Attorney  
 Phone: (303) 271-8900  
 Date: 02/12/07

Robinson Waters & Associates  
1099 18th St. # 2000  
Denver, CO 80202

100 Jefferson County Parkway  
 Golden, CO 80419