

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 49361</b>
Petitioner: <b>KIMCO DENVER 680 INC.,</b>  v.  Respondent: <b>DENVER 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.: 02291-03-031-000**  
     **Category: Valuation      Property Type: Commercial Real**
2. Petitioner is protesting the 2007 actual value of the subject property.
3. The parties agreed that the 2007 actual value of the subject property should be reduced to:  
     **Total Value:            \$1,700,000**  
     (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2007 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 9th day of December 2008.

**BOARD OF ASSESSMENT APPEALS**

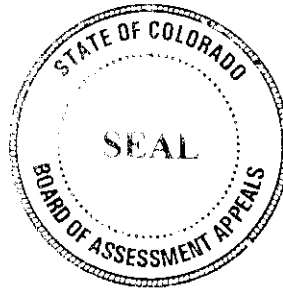
This decision was put on record  
December 8, 2008

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

Toni Rigirozzi  
Toni Rigirozzi



<b>BOARD OF ASSESSMENT APPEALS</b> <b>STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number:  49361 & 50452  Schedule Number:  02291-03-031
Petitioner:  <b>KIMCO DENVER 680 INC.</b>  v.  Respondent:	
<b>DENVER COUNTY BOARD OF EQUALIZATION</b> Attorneys for Denver County Board of Equalization  City Attorney  Charles T. Solomon #26873 Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3275 Facsimile: 720-913-3180	
<b>STIPULATION (AS TO TAX YEAR 2007 &amp; 2008 ACTUAL VALUE)</b>	

Petitioner, KIMCO DENVER 680 INC., and Respondent, DENVER COUNTY BOARD OF EQUALIZATION, hereby enters into this Stipulation regarding the tax year 2007 & 2008 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:  
     2630 W. 38<sup>th</sup> Ave.  
     Denver, Colorado 80211
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 2007 & 2008.

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Land	\$	1,266,700.00
Improvements	\$	<u>850,500.00</u>
Total	\$	2,117,200.00

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

Land	\$	1,266,700.00
Improvements	\$	<u>850,500.00</u>
Total	\$	2,117,200.00

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 2007 & 2008.

Land	\$	1,266,700.00
Improvements	\$	<u>433,300.00</u>
Total	\$	1,700,000.00

6. The valuations, as established above, shall be binding only with respect to tax year 2007 & 2008.

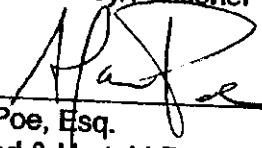
7. Brief narrative as to why the reduction was made:

The recognition of the subject properties lease and the condition of the basement area resulted in as adjustment to the assigned value.

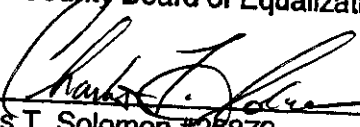
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on December 18, 2008 at 8:30 AM be vacated.

DATED this 5<sup>th</sup> day of December, 2008.

Agent/Attorney/Petitioner

By:   
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Denver County Board of Equalization

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