

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	<u>Docket Number: 53029 (Partial)</u>
Petitioner: BARDEN COLORADO GAMING, LLC v. Respondent: GILPIN COUNTY BOARD OF EQUALIZATION.	
PARTIAL ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Partial Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Partial 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.: R004167, R003806 and R003907

Category: VALUATION Property Type: COMMERCIAL REAL
2. The Agent for the Petitioner requests that the following parcels be withdrawn and vacated from the docket: R003806 and R003907
3. Petitioner is protesting the 2009 actual value of the subject property.

3. The parties agreed that the 2009 actual value of the subject property, schedule number R004167 should be reduced to:

\$ 625,850.00
\$3,988,890.00
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\$4,614,740.00

4. The Board concurs with the attached Stipulation.

ORDER:

Respondent is ordered to reduce the 2009 actual value of the subject property, as set forth in the attached Stipulation.

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

DATED/MAILED this 4th day of June, 2010.

This decision was put on the record

June 10, 2010

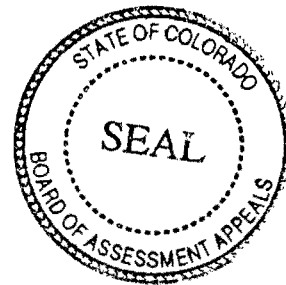
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals

Cara McKeller
Cara McKeller

BOARD OF ASSESSMENT APPEALS

Karen E Hart
Karen E. Hart

Debra A. Baumbach
Debra A. Baumbach



Gilpin County Board of Equalization Stipulation Form

Single County Schedule Number: R004167

STIPULATION (As to Tax Year 2009 Actual Value)

Barden Colorado Gaming LLC

Petitioner,

vs.

Gilpin COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner(s) and Respondent hereby enter into this stipulation regarding the tax year 2009 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:
160 Gregory Street, Fitzgeralds Casino Expansion

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 2009:

Land	\$ 625,850	.00
Improvements	\$ 9,942,700	.00
Total	\$ 10,568,550	.00

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

Land	\$ 625,850	.00
Improvements	\$ 9,942,700	.00
Total	\$ 10,568,550	.00

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5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2009 actual value for the subject property:

Land	\$ 625,850 .00
Improvements	\$ 3,988,890 .00
Total	\$ 4,614,740.00

6. The valuation, as established above, shall be binding only with respect to tax year 2009.

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

~~Data was provided subsequent to initial valuation regarding construction costs. The schedule numbers (R3907, R3906, R4167) totalled \$2,4281,000 before stipulation and total after stipulation is \$48,329,790. The difference is due to additional support for actual costs of construction.~~

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on _____ (date) at _____ (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 4th day of March, 2010

Digital signed by Patrick Sullivan
DN: cn=Patrick Sullivan, o=Petrock & Fenkel, ou=LLP, email=sullivan@petrock-fenkel.com, c=US, postalCode=80202

P. Sullivan

Petitioner(s) or Agent or Attorney

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