

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

Petitioner:
CCA PROPERTIES OF AMERICA, LLC

v.

Respondent:
KIT CARSON COUNTY BOARD OF EQUALIZATION

Docket Number: **57857**

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 included in this stipulation is described as follows:

Schedule No.: **36500003-R**

Category: **Valuation** Property Type: **Commercial Real and Agricultural**
2. Petitioner is protesting the 2011 actual value of the subject property.
3. The parties agreed that the 2011 actual value of the subject property should be reduced to:

Total Value: \$51,500,000.00

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

ORDER:

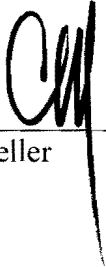
Respondent is ordered to reduce the 2011 actual value of the subject property, as set forth in the attached Stipulation.

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

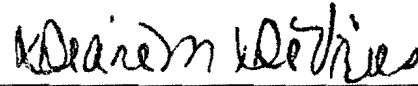
DATED and MAILED this 8th day of May, 2012.

BOARD OF ASSESSMENT APPEALS

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



Cara McKeller



Diane M. Devries



Debra A. Baumbach



<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</p> <p>BAA Address: 1313 Sherman Street Room 315 Denver, CO 80203</p>	<p style="text-align: center;">^COURT USE ONLY^</p>
<p>CCA PROPERTIES OF AMERICA, LLC, 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) 346-7242</p> <p>Atty. Reg #: 12284</p>	<p style="text-align: center;">DOCKET NO. 57857 COUNTY SCHEDULE NO. 36500003-R</p>
<p style="text-align: center;">STIPULATION (AS TO TAX YEAR 2011 ACTUAL VALUE)</p>	

COME NOW The Petitioner, CCA Properties of America, LLC, by and through its undersigned attorney, Kenneth S. Kramer of Berenbaum Weinshienk P.C., 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 2011 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 2011:

Agricultural land	\$5915.00
Improved Commercial Land	\$40,930.00
Commercial Improvements	\$59,953,155.00
Total	\$60,000,000.00

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

Agricultural land	\$5915.00
Improved Commercial Land	\$40,930.00
Commercial Improvements	\$59,953,155.00
Total	\$60,000,000.00

5. After further review and negotiation, the Petitioner and the County Board of Equalization agree to the following tax year 2011 actual value for the subject property:

Agricultural land	\$5915.00
Improved Commercial Land	\$40,930.00
Commercial Improvements	\$51,453,155.00
Total	\$51,500,000.00


6. The valuation, as established above, shall be binding only with respect to tax year 2011.

7. Brief narrative as to why the reduction was made: Both parties retained an expert witness to appraise the property, in preparation for hearing. The parties agreed to accept a negotiated valuation amount, taking into account the valuations established by the expert witnesses.

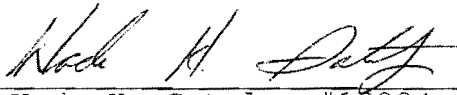
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on Thursday, May 10, 2012 shall be vacated.

Dated this 30 day of April, 2012.

KENNETH S. KRAMER, ESQ.


By: Kenneth S. Kramer, Esq.
Attorney for Petitioner
Berenbaum Weinshienk P.C.
370 17th Street, Suite 4800
Denver, CO 80202-5698
Telephone : (303) 825-0800

WADE H. GATELEY



By: Wade H. Gateley #12284
County Attorney for Respondent
Kit Carson County Board of Equalization
P.O. Box 266
Burlington, CO 80807
(719) 346-5427

ABBIE J. MULLIS



By: Abbie J. Mullis
Kit Carson County Assessor
251 16th Street, Suite 102
Burlington, CO 80807
(719) 346-8946