

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>MT. SAN BRUNO INDUSTRIAL PARK BY KMART CORPORATION,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>ADAMS COUNTY BOARD OF EQUALIZATION.</b></p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Barry J. Goldstein, Esq. Sterling Equities, Inc.</p> <p>Address: 950 South Cherry Street, #320 Denver, CO 80246</p> <p>Phone Number: 303-757-8865 Attorney Reg. No.: 2218</p>	<p><b>Docket Number: 38643</b></p>
<p style="text-align: center;"><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.: 0171914203002**

**Category: Valuation      Property Type: Commercial**

2. Petitioner is protesting the 2001 actual value of the subject property.

3. The parties agreed that the 2001 actual value of the subject property should be reduced to:

Land	\$3,748,589.00
Improvements	\$7,103,411.00
Total	\$10,852,000.00

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2001 actual value of the subject property, as set forth above.

The Adams County Assessor is directed to change his records accordingly.

**DATED/MAILED** this 14<sup>th</sup> day of November, 2002.

This decision was put on the record

November 13, 2002

**BOARD OF ASSESSMENT APPEALS**

*Karen E Hart*

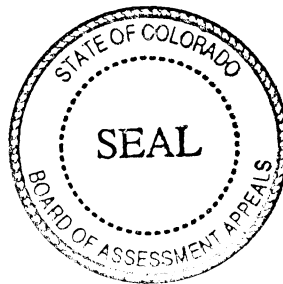
Karen E. Hart

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

*Judy A. Venable*  
Judy A. Venable



<b>BOARD OF ASSESSMENT APPEALS,</b> <b>State of Colorado</b> 1313 Sherman Street, Room 315 Denver, CO 80203	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> <hr/> Docket Number: 38643 County Schedule Number: 1719 14 2 03 002
<b>Petitioner:</b> MT. SAN BRUNO INDUSTRIAL PARK BY KMART CORP.,  <b>Respondent:</b> ADAMS COUNTY BOARD OF EQUALIZATION.	
JAMES D. ROBINSON, #5899 ADAMS COUNTY ATTORNEY Jennifer Wascak Leslie, #29457 Assistant County Attorney 450 South 4 <sup>th</sup> Avenue Brighton, CO 80601 Telephone: 303-654-6116 Fax: 303-654-6114	
<b>STIPULATION (As to Tax Year 2001 Actual Value)</b>	

Petitioner and Respondent hereby enter into this Stipulation regarding the tax year 2001 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:  
     1400 E. 104<sup>th</sup> Avenue, Thornton, Adams County, Colorado
2. The subject property is classified as commercial property.
3. The County Assessor originally assigned the following actual value to the subject property for tax year 2001:

Land	\$	3,748,589
Improvements	\$	7,646,401
Total	\$	11,394,990

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 BOARD OF ASSESSMENT APPEALS

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

Land	\$	3,748,589
Improvements	\$	7,646,401
Total	\$	11,394,990

5. After further review and negotiation, Petitioner and County Board of Equalization agree to the following tax year 2001 actual value for the subject property:

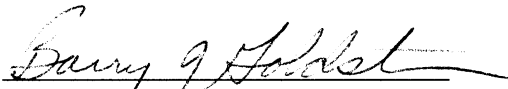
Land	\$	3,748,589
Improvements	\$	7,103,411
Total	\$	10,852,000

6. The valuation, as established above, shall be binding only with respect to tax year 2001.

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

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on November 25, 2002 at 1:00 p.m. be vacated.

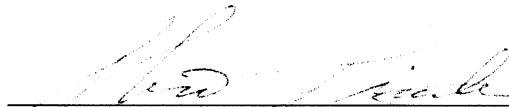
DATED this 11<sup>th</sup> day of November, 2002.



Barry J. Goldstein, #2218  
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