

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>ACG-SHOPS AT THE BLUFFS,</p> <p>v.</p> <p>Respondent:</p> <p>EL PASO COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Ronald S. Loser, Esq. Address: 1700 Lincoln St., #1300 Denver, CO 80203 Phone Number: (303) 866-9400 Attorney Reg. No.: 1685</p>	<p>Docket Number: 40730</p>
<p>ORDER ON STIPULATION</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.: 63271-21-007+1

Category: Valuation Property Type: Commercial
2. Petitioner is protesting the 2002 actual value of the subject property.

3. The parties agreed that the 2002 actual value of the subject property should be reduced to:

See Attached Stipulation

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2002 actual value of the subject property, as set forth above.

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

DATED/MAILED this 7th day of January, 2004.

This decision was put on the record

January 6, 2004

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

BOARD OF ASSESSMENT APPEALS

Karen E Hart

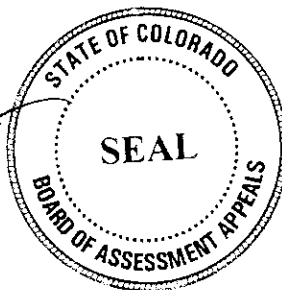
Karen E. Hart

Debra A Baumbach

Debra A. Baumbach

Jackie J. Brown

Jackie J. Brown



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number(s): **40730**

Multiple County Schedule Numbers: (AS SET FORTH IN THE ATTACHED)

ACG-Shops at the Bluffs Investors LLC

Petitioner(s),

vs.

EL PASO COUNTY BOARD OF EQUALIZATION,

Respondent.

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STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year **2002** valuations of the subject properties, and jointly move the Board of Assessment Appeals to enter it's order based on this Stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The properties subject to this Stipulation are described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.
2. The subject properties are classified as **Commercial** properties.
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year **2002**.
4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Equalization.
5. After further review and negotiation, the Petitioner(s) and Respondent agree to the tax year **2002** actual values of the subject properties, as shown on Attachment C.
6. The valuations, as established on Attachment C, shall be binding with respect to only tax year **2002**.

Multiple Schedule No(s)

7. Brief narrative as to why the reductions were made:

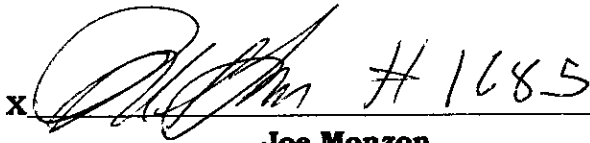
Actual base year Income and Expenses were provided by the agent for the petitioner.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **February 18, 2004 at 8:30 A.M.**

be vacated; or, a hearing has not yet been scheduled before the Board of Assessment Appeals.

(check if appropriate.)

DATED this **29th** day of **December, 2003**.

X  #1685

**Joe Monzon
Marvin Poer & Co.
Agent for Petitioner**

Address: **410 17th Street, Suite 1730
Denver, CO 80202**

Telephone: **(303) 573-1154**

Ronald S. Losev
1700 Lincoln St. #1300
Denver, CO 80203

(303) 866-9400



**County Attorney for Respondent,
Board of Equalization**

Address: **27 East Vermijo
Colorado Springs, CO 80903**

Telephone: **(719) 520-6485**



DEPUTY County Assessor

Address: **27 East Vermijo
Colorado Springs, CO 80903**

Telephone: **(719) 520-6600**

Docket Number: **40730**

StipMlti.mst

Multiple Schedule No(s)

ATTACHMENT A
ACTUAL VALUES, AS ASSIGNED BY THE ASSESSOR

DOCKET NUMBER(S): 40730

Schedule Number	Land Value	Improvement Value	Total Actual Value
63271-21-007	\$ 0.00	\$8,430,793.00	\$8,430,793.00
63271-21-015	\$3,803,877.00	\$ 0.00	\$3,803,877.00

Stip.AtA
Multiple Schedule No(s)

ATTACHMENT B

**ACTUAL VALUES, AS ASSIGNED BY
THE COUNTY BOARD OF EQUALIZATION
AFTER A TIMELY APPEAL**

DOCKET NUMBER(S): 40730

Schedule Number	Land Value	Improvement Value	Total Actual Value
63271-21-007	\$ 0.00	\$8,430,793.00	\$8,430,793.00
63271-21-015	\$3,803,877.00	\$ 0.00	\$3,803,877.00

Stip.AtB
Multiple Schedule No(s)

ATTACHMENT C

ACTUAL VALUES, AS AGREED TO BY ALL PARTIES

DOCKET NUMBER(S): 40730

Schedule Number	Land Value	Improvement Value	Total Actual Value
63271-21-007	\$ 0.00	\$7,331,121.00	\$7,331,121.00
63271-21-015	\$3,803,877.00	\$ 0.00	\$3,803,877.00

Stip AtC
Multiple Schedule No(s)

LETTER OF AUTHORIZATION

Instructions:

This letter of authorization must be signed by the OWNER OF RECORD. If a professional management company is acting on behalf of the owner, a letter from the owner of record or a copy of a management agreement giving the management company authority to act on the owners' behalf must be supplied. If the lessee is initiating the appeal, then a copy of the lease must be supplied to establish proper authorization.

To all parties:

The owner of record hereby designates Marvin F. Poer and Company, its agents and employees, to act on behalf of the owner in all matters pertaining to the review and appeal of real and/or personal property valuation and classification to the assessor, county board of equalization, arbitration, state board of assessment appeals, district court or any other hearing process. This authorization is limited to the properties listed below and on the attached continuation form(s).

TAX YEARS: 2001/2002 & prior tax years

OWNER OF RECORD: ACG-Shops at the Bluffs

SIGNATURE: _____

Sheldon Real

PRINTED: _____

Sheldon Real

TITLE: _____

Group Assistant Controller

COMPANY NAME: KINGSOOPER

PROPERTY LIST:

Schedule/Parcel Numbers

63271-21-007
63271-21-015

Property Address

3560 Austin Bluffs

**Marvin F. Poer and Company, 410 17th St Suite 1730, Denver, CO 80202
Phone: 303-573-0975, Fax: 303-573-0976**