

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

**Docket Nos.: 50698,  
50699, 50700, 50701,  
50702, 50703, 50704,  
50708, 50822**

Petitioner:

**PARADISE INVESTMENT PROPERTIES and  
RICHARD A. GELLAR & DAVID PADERSKI,**

v.

Respondent:

**DENVER COUNTY BOARD OF EQUALIZATION.**

**ORDER ON MOTION TO WITHDRAW PETITIONS**

**THE BOARD OF ASSESSMENT APPEALS** received Petitioner's Motion to Withdraw Petitions on April 7, 2010. The Board received notice from Respondent on April 8, 2010 indicating Respondent assents to Petitioner's motion and that Respondent also stipulates that each party shall pay its own costs and fees associated with the appeals.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject properties are described as follows:

County Schedule No.: 05034-05-034-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 02345-28-023-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 02336-01-011-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 02345-06-038-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 02336-01-008-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 05041-13-045-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 02336-18-008-000  
Category: Valuation  
Property Type: Commercial  
Tax Year Protested: 2008

County Schedule No.: 05011-09-001-000+1  
Category: Valuation  
Property Type: Vacant Land  
Tax Year Protested: 2008

County Schedule No.: 02331-21-003-000+1  
Category: Valuation  
Property Type: Vacant Land  
Tax Year Protested: 2008

**ORDER:**

Petitioner's request to withdraw petitions is granted. The Board concurs with the stipulation of the parties that each party is to pay its own respective costs and attorneys fees.

**DATED/MAILED** this 12<sup>th</sup> day of April 2010.

**BOARD OF ASSESSMENT APPEALS**

By: J. Michael Beery  
J. Michael Beery  
Administrator

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| <p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b><br/>         1313 Sherman Street, Room 315<br/>         Denver, Colorado 80203</p>  | <p style="text-align: right; transform: rotate(90deg);">2010 APR -7 PM 1:09</p> <p style="text-align: center;"><b>▲ BOARD USE ONLY ▲</b></p>  |
| <p><b>Petitioners: PARADISE INVESTMENT PROPERTIES and RICHARD A. GELLAR &amp; DAVID R. PADERSKI</b></p> <p>v.</p> <p><b>Respondent: DENVER COUNTY BOARD OF EQUALIZATION</b></p>  |   |
| <p>Mark W. Gerganoff, LLC<br/>         Mark W. Gerganoff, 13240<br/>         24276 Choke Cherry Lane<br/>         Golden, CO 80401<br/>         (303) 526-9163<br/>         (720) 938-1025<br/>         mwg042958@comcast.net</p> <p><b>COUNSEL TO PETITIONERS</b></p> | <p><b>Docket and Schedule Nos.</b><br/>         50698 (05034-05-034-000)<br/>         50699 (0234-28-023-000)<br/>         50700 (02336-01-011-000)<br/>         50701 (02345-06-038-000)<br/>         50702 (02336-01-008-000)<br/>         50703 (02336-18-008-000)<br/>         50704 (05041-13-045-000)<br/>         50708 (05011-09-001-000+1)<br/>         50822 (02331-21-003-000+1)</p> |
| <p><b>PETITIONERS' MOTION TO WITHDRAW PETITIONS</b></p>  |   |

The Petitioners Paradise Investment Properties, Richard A. Gellar, and David R. Paderski move to withdraw their petitions and for an order that each party is to pay its own respective costs and attorney fees.

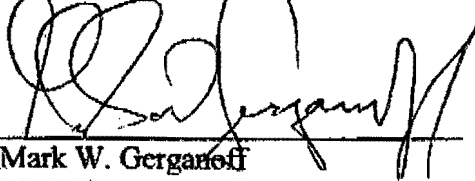
In support of their motion, the Petitioners show the Board as follows:

1. The Petitioners are all related in each of the above dockets. The subject properties are all surface parking lots and the property tax years in issue are 2008.
2. Back-to-back hearings are scheduled for April 21-22, 2010. April 23, 2010 is reserved if additional hearing time is needed.
3. The undersigned counsel has been communicating with counsel for the Respondent about

the claims and defenses, advising him that the Petitioners may withdraw the Petitions.

4. The Petitioners wish to withdraw their petitions.
5. No party should be expected to be unduly prejudiced if this motion is granted.

COUNSEL FOR THE PETITIONERS:



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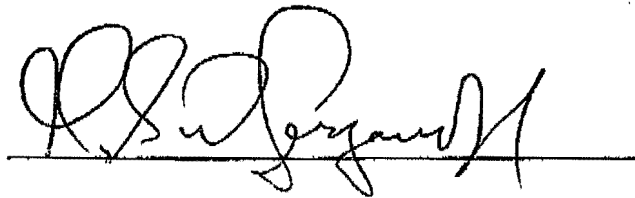
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**CERTIFICATE OF SERVICE**

I certify that on this 7th day of April, 2010, I caused a true and correct copy of the above **PETITIONERS' MOTION TO WITHDRAW PETITIONS** to be served on the parties herein by United States mail postage pre-paid in a sealed envelope addressed as follows:

David V. Cooke  
201 W. Colfax Avenue, Dept. 1207  
Denver, CO 80202-5332

Robert Hoban  
600 17th Street, #2800 South  
Denver, CO 80202

A handwritten signature in black ink, appearing to read "Robert Hoban", is written over a horizontal line.