

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 64157</b>
Petitioner: <b>SAFEWAY INC.,</b>  v.  Respondent: <b>EL PASO COUNTY BOARD OF COMMISSIONERS.</b>	
<b>ORDER ON STIPULATION</b>	

**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.: 40825**  
  
**Category: Abatement      Property Type: Commercial Personal**
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:            \$722,565**  
 (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

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

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

**DATED AND MAILED** this 3rd day of September 2014.

**BOARD OF ASSESSMENT APPEALS**

*Diane M. DeVries*

\_\_\_\_\_  
Diane M. DeVries

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

\_\_\_\_\_  
Cara McKeller

*Cara McKeller*



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BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO

Docket Number: 64154-64170

Single County Schedule Number: See Attachments to this Stipulation

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STIPULATION (As to Abatement/Refund For Tax Year 2011)

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Safeway Inc

Petitioner(s),

vs.

EL PASO COUNTY BOARD OF COMMISSIONERS,

Respondent

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Petitioner(s) and Respondent hereby enter into 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(s) and Respondent agree and stipulate as follows:


1. The property subject to this Stipulation is described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.
2. The subject property is classified as Business Personal property.
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2011.
4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Commissioners.
5. After further review and negotiation, the Petitioner(s) and Respondent agree to the tax year 2011 actual values of the subject properties, as shown on Attachment C.
6. The valuation, as established on attachment C, shall be binding only with respect to tax year 2011.
7. Brief narrative as to why the reduction was made: After review, our office came to the conclusion that our office could not support the Economic Obsolescence argument that Safeway requested; however, there was consideration given to Functional Obsolescence (An element of accrued depreciation resulting from deficiencies or superadequacies in the equipment). A majority of the stores here in El Paso County are open 18-24 hours, and also for marketing purposes Safeway rearranges their stores semi-annually in most, which means that most of the PP is broken down and reassembled, which means personal property reaches its fully depreciated life before the 9+1 years. We considered this argument just for the grocery stores, not the fuel centers, and found that this led to a reduction in value between 20-30% depending on the store, which was much lower than their requested 50-70% reduction.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on

**October 20- October 31, 2014**

DATED this August 11 day of 2014

x   
\_\_\_\_\_  
Petitioner(s)  
By: **Safeway Inc**


  
\_\_\_\_\_  
County Attorney for Respondent,  
Board of Commissioners

Address: **C/O Assessment Technologies, LTD.**  
~~Chen M. Gilbert~~ **James Hausman**  
**121 Interpark Blvd, Ste 308**  
**San Antonio, TX 78216**

Address: **200 S. Cascade Ave. Ste 150**  
**Colorado Springs, CO 80903**

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

Telephone: **210-270-1460**

  
\_\_\_\_\_  
County Assessor **Deputy ASSESSOR**

Address: **1675 W. Garden of Gods Rd. Ste 2300**  
**Colorado Springs, CO 80907**

Telephone: **(719) 520-6610**


Docket Number: 64154-64170  
StipMiti.Aba

**ATTACHMENT A**

**ACTUAL VALUES, AS ASSIGNED BY THE ASSESSOR**

Docket Number: 64154-64170

Schedule #	DOCKET #	Total Actual Value
30,882	64154	\$1,446,002
32,204	64155	\$1,261,270
40,793	64156	\$1,190,580
40,825	64157	\$1,032,236
61,315	64158	\$1,208,195
66,043	64159	\$1,115,269
68,637	64160	\$605,119
72,408	64160	\$1,278,747
699,905	64166	\$1,602,576
699,920	64167	\$400,456
699,925	64169	\$1,070,027
699,940	64168	\$1,285,202
109,864	64165	\$77,866
107,416	64164	\$74,708
107,419	64163	\$231,113
81,446	64162	\$203,918
73,453	64161	\$1,185

x  / Deputy Assessor / 08.29.2014

**ATTACHMENT B**

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

Docket Number: 64154-64170

Schedule #	DOCKET #	Total Actual Value
30,882	64154	\$1,446,002
32,204	64155	\$1,261,270
40,793	64156	\$1,190,580
40,825	64157	\$1,032,236
61,315	64158	\$1,208,195
66,043	64159	\$1,115,269
68,637	64170	\$605,119
72,408	64160	\$1,278,747
699,905	64166	\$1,602,576
699,920	64167	\$400,456
699,925	64169	\$1,070,027
699,940	64168	\$1,285,202
109,864	64165	\$77,866
107,416	64164	\$74,708
107,419	64163	\$231,113
81,446	64162	\$203,918
73,453	64161	\$1,185

x *St S* / Deputy Assessor / 08.29.2014

**ATTACHMENT C**

**ACTUAL VALUES, AS AGREED TO BY ALL PARTIES**

Docket Number: 64154-64170

Schedule #	Docket #	Total Actual Value
30,882	64154	\$1,012,201
32,204	64155	\$882,889
40,793	64156	\$833,406
40,825	64157	\$722,565
61,315	64158	\$845,737
66,043	64159	\$780,688
68,637	64170	\$423,583
72,408	64160	\$895,123
699,905	64166	\$1,121,803
699,920	64167	\$280,319
699,925	64169	\$749,019
699,940	64168	\$899,641
109,884	64165	\$77,866
107,416	64164	\$74,708
107,419	64163	\$231,113
81,446	64162	\$203,918
73,453	64161	\$1,185

x  / DEPUTY ASSESSOR / 08-29-2011