

BOARD OF EQUALIZATION, WASHOE COUNTY, NEVADA

WEDNESDAY

9:00 A.M.

FEBRUARY 24, 2010

PRESENT:

James Covert, Chairperson
John Krolick, Vice Chairperson
Linda Woodland, Member
James Brown, Member

Nancy Parent, Chief Deputy Clerk
Herb Kaplan, Deputy District Attorney

ABSENT:

Benjamin Green, Member

The Board of Equalization convened at 9:03 a.m. in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Chairperson Covert called the meeting to order, the Clerk called the roll and the Board conducted the following business:

WITHDRAWN PETITIONS

The following scheduled petitions were withdrawn by the Petitioners prior to the hearings:

Assessor's Parcel No.	Petitioner	Hearing No.
021-455-14	QUAIL VISTA LLC	10-0403
021-870-04	QUAIL VISTA LLC	10-0409
021-890-07	QUAIL POINT BUSINESS PARK LLC	10-0410
025-620-10	QUAIL CREEK BUSINESS PARK LLC	10-0414
040-880-25	QUAIL COURT LLC ETAL	10-0426
040-941-41	QUAIL CORNERS SOUTH LLC	10-0461
040-942-02	QUAIL CORNERS SOUTH LLC	10-0462
040-942-29	QUAIL CORNERS SOUTH PHASE III LLC	10-0467
040-942-33	SIERRA ROSE DRIVE LLC	10-0468
043-332-09	QUAIL COUNTRY ESTATES LLC	10-0438
043-331-09	QUAIL COUNTRY ESTATES LLC	10-0477
131-090-14	SCHWARTZ LIVING TRUST	10-0803
122-530-32	SCHWARTZ, DANIEL S & IRENE S	10-0805

10-836E SWEARING IN

No members of the Assessor's staff needed to be sworn.

10-838E REQUESTS FOR CONTINUANCE

There were no requests for continuance.

10-839E CONSOLIDATION OF HEARINGS

Chairperson Covert indicated the Board would consolidate items as necessary when they each came up on the agenda.

**10-0840E PARCEL NO. 011-450-20 – NEVADA LAND LLC –
HEARING NO. 10-0499E09**

A Petition for Review of Assessed Valuation was received protesting the denial of a claim for exemption from the 2009/10 property taxes for the property located at Evans Avenue, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 150 pages.

Exhibit B: Letter from Lewis and Roca, LLP dated February 23, 2010 with supporting documentation, 10 pages.

Exhibit C: Additional evidence, 137 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 44 pages.

Exhibit II: Revised Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 2 pages.

Exhibit III: Assessor's additional evidence, 27 pages.

On behalf of the Petitioner, Leif Reid and Garrett Gordon, Lewis and Roca, LLP, were sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Joshua Wilson, Assessor, oriented the Board as to the location of the subject property.

Mr. Wilson explained the recommended reduction would address the lack of utility of the 24 seats dedicated to the City of Reno and the 12 days a year the City of Reno could hold other events at the baseball stadium. He said since the possessory interest was being valued and the Petitioners did not have the legal right to use those days, it would be appropriate to remove those days from the valuations. He believed after reading the Petitioner's submission, that they were still miles apart.

Mr. Reid explained their counterpart, the Las Vegas 51's, in southern Nevada had been contacted when the assessment was received. He stated they had an

identical type of arrangement as the Aces, in that a public facility was leased to a for-profit entity.

Mr. Reid stated his presentation would focus on the fact that not only was there an assessment being imposed on the Petitioner, when there was not in respect to Cashman Field in Las Vegas, but there were concerns regarding how the taxable value of the stadium was calculated. He said that calculation was based on 1) an incorrect number of seats; 2) each seat was valued at the highest level, which was the same level as box seats in Yankee Stadium; and 3) the number of days the Petitioner was allowed to use the stadium.

Chairperson Covert asked if the Assessor addressed points one and three in the recommendation. Mr. Reid replied part of point one was addressed regarding the seats owned by the City of Reno, but the fixed seat calculation was still incorrect. He said regarding point three, the Assessor took into consideration that the City had the use of the stadium for 12 days under the terms of the lease and the Aces were allowed to have 71 home games. He explained under the lease, they also had the right to have a small number of approved special events. Chairperson Covert asked who approved the events. Reid said the Redevelopment Agency and the City of Reno had the final word regarding approvals. He advised they had not been able to obtain any approvals from the City of Reno's Fire Marshall to allow special events due to concerns regarding the inadequacy of ingress and egress. He said because the ball park could not be used for special events, the valuation should be based on the 71 days of use instead of the Assessor's 353 days.

Chairperson Covert asked what was done with the stadium on the remaining days. Mr. Reid said there were offices that were used, but the stadium would lay fallow. Chairperson Covert asked if the Petitioner had any control over the stadium beyond the 71 days and the special event days. Mr. Reid replied the lease would have to be looked at.

Mr. Reid discussed the "Incorrect Assumption #1" slide regarding the number of fixed seats, which he stated was actually 6,441 seats. He indicated the most significant issue was the \$4,025 valuation used for the ballpark was the same valuation used for Yankee Stadium's sky-box seats. Chairperson Covert asked if *Marshall and Swift* gave a breakdown of what seats fell into what part of the range. Mr. Reid said he was not aware of it doing so, but a range was provided for minor-league stadiums. He said it was a fine stadium, but it was not in the same category as Yankee Stadium. He believed the difference was due to the product produced on the field. Chairperson Covert asked if *Marshall and Swift* considered a minor-league franchise to be up to a Triple A franchise. Mr. Reid replied that was correct. He felt it would be more appropriate to value the sky-box seats at the highest end of the range for a minor-league park and the other fixed seats at the much lower value. He explained the Aces was a special case for a Triple A franchise because, during the process of moving here, the Aces were provided an exemption by the Pacific Coast League to reduce the size of stadium to one more on the level of Double-A franchise.

Chairperson Covert asked if the Petitioner had a specific recommendation. Mr. Reid said the Petitioner's recommendation was to put 264 seats at the \$2,600 valuation, which was highest range of the minor-league park level, and 6,027 seats at the lower \$920 valuation.

Chairperson Covert asked who Mr. Reid represented. Mr. Reid replied for the purposes of this hearing, he represented Nevada Land, LLC, which was the owner of the Aces.

Mr. Wilson said he had no idea what happened in Las Vegas or what relevance it had to the lease agreement in place for this baseball stadium. Chairperson Covert asked if the seats had actually been counted. Mr. Wilson said an e-mail from the architect, Sunil Parab, contained in Exhibit III, put the total number of fixed seats at 6,980. He stated the number could be adjusted if it was a factual error. Chairperson Covert noted it was a fixed-seat calculation and not an actual count. Mr. Wilson confirmed that no one from the Assessor's Office had counted the seats.

Mr. Wilson said the appellant did not put forth much of an argument on being fully exempt. He explained NRS 361.157 said a property was taxable property regardless of who had ownership if it was leased for profit. He noted the number of days the petitioner could not use the property was being exempted in addition to the number of seats for the exclusive use of the City of Reno.

Mr. Wilson said costs were very important to this issue, and he had not heard how much was actually spent on the construction of the property. He read NRS 361.227(1)(b), which was the basis for the *Marshall and Swift* costs; NAC 361.014, which defined the cost of replacement; and NAC 361.128(1), which outlined the costs to be included, and indicated *Marshall and Swift* would be used to determine the costs. He said that was the basis for valuing the property and the cost of replacement should represent what it would cost to build the structure. He felt that was the major contention regarding the value. He said \$42 million had been listed in many places as the cost of construction. He stated using the *Marshall and Swift* costs produced an improvement value of \$32,253,337 after the reduction, which was well below the \$42 million he believed to be the actual construction costs. He noted the building permits, as shown in Exhibit III, totaled in excess of \$32 million.

Mr. Wilson explained the Assessor's Office called *Marshall and Swift* to find out what was included in the minor-league costs. He stated the minor-league costs did not include sky boxes. He noted the scoreboard was elaborate and the lighting system was very good. He said the construction of the ballpark was considered to be a mini major-league stadium, so that as how it was valued. He understood the Petitioner felt the seats should fall into the lower end of the range because there were fewer seats, but that was contrary to how economies of scale worked. Generally speaking, the more that was built the lower the cost per unit would be.

Mr. Wilson discussed the *Reno Gazette-Journal* article contained in Exhibit III, which indicated the ballpark was a \$91 million deal that included \$15 million to buy the Triple-A franchise and \$42 million to build the facility. He then discussed the “Ballpark Deal: Bullet Points” document in Exhibit III that also listed the stadium’s construction cost as \$42 million. He said the Keyser Marston Associates memorandum, also in Exhibit III, explained the projected taxes to the Reno Redevelopment Agency. Mr. Wilson noted that a Reno City Councilmember had asked if taxes would be generated for the 2008/09 tax year, and he responded to the Councilmember there would not be any taxes for 2008/09 because the stadium did not exist on July 1, 2008 and the stadium would be picked up on the July 1, 2009 lien date. He said he also explained to the Councilmember how the property would be valued using *Marshall and Swift*.

Mr. Wilson said as he understood the lease, the Aces could hold practice sessions outside of the 71 days, they had offices that were used throughout the year, and they had the utility of the stadium for everyday of the year except for 12 days. He advised the Assessor’s Deputy District Attorney concurred with the Assessor’s understanding. He stated using the minor league costs would not represent the true quality of a mini major-league stadium.

Chairperson Covert observed the property was being valued on the replacement costs and not the per seat value. Mr. Wilson replied the replacement costs new were based on the number of seats as provided by the architect. Chairperson Covert said *Marshall and Swift* might be vague regarding the seats, but it was not vague regarding minor league versus major league. He said he had been in several minor-league parks and they were not as nice as the Aces ballpark. Granted they were not as new, but they were bigger.

Mr. Wilson indicated the issue marked on the petition was the property’s exemption status. He did not believe the appeal had anything to do with the property’s value until he received an e-mail yesterday that seemed to question the valuation of the ballpark rather than its exemption status.

Mr. Wilson said the Assessor’s Office based the number of seats on what the architect indicated, but if the Petitioner was more comfortable with their own number that was fine. He advised this was the first stadium of this caliber that the Assessor’s Office had to value and a lot of time was spent looking at the stadium.

Member Brown asked if the revenue generated per seat for a minor-league team versus a major-league team was in the mix of the cost per seat. Mr. Wilson explained it had nothing to do with the product that was put into the stadium; but was based on the cost for construction, which was dependant on the quality of the materials as well as the cost of construction. He understood a minor-league team might not be able to sell tickets for as much as a major-league team, but this property was not being valued using the income approach. He explained the high end of the range was chosen because of the low number of seats and economies of scale not being achieved. He felt even if it was classified as a minor-league park, the higher end of the range would be applicable;

but there also had to be an accommodation to include the sky boxes. He reiterated that was why they used the high end of the sky-box cost for a major-league open stadium.

Herb Kaplan, Legal Counsel, stated he was confused as to why valuation was being discussed because, based on his review, the petition was submitted as a 2009/10 exemption appeal and no petition was filed based on the property's valuation for 2010/11. He believed the sole issue brought forward with the timely filing of the petition was based on the exemption issue, so he did not know what relevance the valuation issue played today. He said based on the way this item was agendized, the Board was limited to considering the exemption issue.

Mr. Reid said he had been talking with Assessor's staff since January 26th regarding this issue, and he had received confirmation yesterday from Theresa Wilkins, Chief Deputy Assessor, that the information being discussed with staff regarding the valuation would be considered today and the appeal would not be considered as an exemption appeal, but as a general appeal. He said the information regarding the noticing was interesting, but the issues currently being discussed were not new to Assessor's Office.

Chairperson Covert commented it was not the duty of the Assessor's Office to make legal interpretations, which was why Mr. Kaplan was here. Mr. Kaplan said the Board was subject to the Nevada's Open Meeting Law (NRS 241). He stated the agendas must be published appropriately to be in compliance with the Open Meeting Law, and how an item was agendized limited the actions that could be taken regarding that item. He advised any action taken exceeding the scope of the exemption issue would be void under the Open Meeting Law.

Mr. Reid said he respectfully provided a different interpretation of the Open Meeting Law, which was when a full exemption was requested, a lesser and included relief as was being discussed now, would be within the scope of what was noticed and would be a permissible action by this Board. Mr. Kaplan explained exemptions fell under a different category than the valuation of property. Mr. Reid said the appellant made a timely response to a supplemental assessment that was received in October or November of 2009, which was why this issue was coming before the Board. Mr. Kaplan said the petition filed on behalf of the property owner indicated it was an exemption issue. He advised the petition was valid because it was filed by January 15th and the Board had the authority to act on that one basis based on the agenda. Mr. Reid said he understood Mr. Kaplan's issue but, based on the representation made to the appellant by the Assessor's staff and on the information being provided to staff as a supplement to the petition, it certainly raised broader issues. He stated regarding the notice provided, it was his strong opinion that the appellant should not be held to have forfeited the right to seek the recalculation that was discussed for the bulk of the appellant's presentation. He said he did not believe re-noticing was necessary to address this issue.

Mr. Kaplan advised the only issue the Board could act upon was the exemption issue based on how this item was agendaized. He advised against the Board making any finding regarding the property's valuation; but he suggested the Board make a specific finding on the valuation issue regarding jurisdiction, so that issue could be appealed to the State Board of Equalization (SBOE).

Mr. Kaplan advised that by statute, the County Board of Equalization (CBOE) did not have the authority to waive the requirement that a petition must be filed by January 15th on whatever issue the Petitioner wanted. He explained the timeframes involved for the CBOE and SBOE hearings. He said no provisions in statutes allowed for filing a petition after January 15th for a good cause or to amend a petition. He stated in this case, the petition was filed by January 15th on the exemption issue, but not the valuation issue.

Chairperson Covert advised the petition specifically stated it was an exemption issue and recommended denying the exemption appeal. He stated the appellant could take the other matter up with the SBOE, and it would be up to the SBOE's lawyers to work out the legal issues. Mr. Kaplan said the exemption appeal was properly before the Board, and he advised the valuation issue should be a second motion based on the lack of jurisdiction because no petition had been filed by January 15th. Chairperson Covert stated he felt the Board should take Mr. Kaplan's advice.

Mr. Reid said he wanted his objection on the record because it was a significant issue based on the appellant's interaction with Assessor's Office, and he felt the proposed action would be arbitrary, capricious and inconsistent with the record before the Board. He stated the appellant received written confirmation from the Assessor's Office that the amended petition was accepted. Chairperson Covert indicated that did not mean it was proper. Mr. Reid did not think it was appropriate to dismiss the issue on a technical basis.

Chairperson Covert said the appellant could appeal to the SBOE, and he was not comfortable with sorting out the valuation issue. Member Woodland stated since the appellant only got notified yesterday, it was not three days notice for the Board. Mr. Reid felt noticing for the appellant was different than the Open Meeting Law noticing. Member Woodland said the Board had to abide by the three day requirement. Mr. Kaplan indicated the three day issue was different than what was being discussed. He said statute indicated the CBOE shall conclude its business by the last day in February, but that date was not necessarily mandatory despite the use of the word "shall." In the event the Board wanted to continue the hearing based on a finding there was a valid petition filed regarding the valuation issue, a hearing could be agendaized sometime in March.

Member Krolick asked if the Assessor's recommendation could be acted upon based on the way the petition was filed. Mr. Kaplan replied it appeared the recommendation was based on valid exemption issues. Mr. Reid said the appellant was arguing for a modification based on those same issues. He stated it was unclear what legal basis would allow the Assessor to modify the valuation, but not to hear the

Petitioner's arguments regarding that issue. Mr. Kaplan stated the Assessor was indicating the Petitioner was entitled to a partial exemption due to the number of seats and days based on the City of Reno's exclusive use. Chairperson Covert asked if Mr. Kaplan was recommending the Board uphold Assessor's recalculation of the exempt seats and the other issue should go to the SBOE. Mr. Kaplan replied that was his recommendation.

Member Woodland felt all petitioners should be treated the same, and it would be unfair for the Board to accept an amended petition that was late. Member Brown felt the Board should hear the exemption issue and should reject dealing with the valuation issue.

Mr. Reid stated he would like to address the issue regarding the seats. He stated 432 seats were picnic benches based on the architect's letter in Exhibit III, which were an amenity available to people in the ballpark. He said those benches should not be counted as fixed seating and a \$4,000 per seat value on a 10 or 12 seat picnic bench would be excessive.

Mr. Reid felt it would be appropriate to continue this issue if the Board chose to do so. Chairperson Covert reiterated the Board had no authority to deal with valuation issue.

Chairperson Covert understood the Board could only deal with exemption issue regarding the number of seats. Mr. Reid stated the issue with the picnic benches was it was double counting. He explained people would pay for a ticket that allowed them a seat, but they would still have access to the picnic benches. He said separate tickets were not sold for the picnic benches. Chairperson Covert stated that did sound like double counting. Mr. Wilson asked if 6,441 tickets were the maximum number of tickets that could be sold. Mr. Reid replied 6,441 was the maximum. Member Brown asked what the seating capacity was. Mr. Reid replied the calculation was based on fixed seating, but there was a berm and 3,000 general-admission tickets could be sold.

Chairperson Covert commented those tickets generated revenue, but not at the seat level. Mr. Reid said that was correct. Chairperson Covert stated he was inclined to accept the Assessor's recommendation on the reduction of the 24 fixed seats. Member Krolick said he still had an issue with the 432 picnic seats, but he felt removing them from the roll would be inappropriate. Chairperson Covert agreed, but he was not sure how to value them. He felt the Petitioner would go to the State anyway, so let the SBOE deal with those seats.

Member Krolick commented the only amendments to petitions allowed in the past were people checking the wrong NRS statute on the form, but this issue did not seem to fall within that category. Chairperson Covert and Member Woodland agreed.

Chairperson Covert asked for clarification regarding the valuation issue's tax year. Mr. Reid replied the Petitioner received a supplemental assessment for 2009/10

and not the year going forward. Mr. Kaplan said the year was irrelevant because the basis for jurisdiction was a petition being filed by January 15th for any year. Chairperson Covert said the issue was the untimely filing of the petition.

With regard to Parcel No. 011-450-20 pursuant to NRS 361.060, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent and Member Krolick voting "no," it was ordered that the exemption be granted for the 24 seats owned by the City of Reno for tax year 2009/10. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value. AND With regard to Parcel No. 011-450-20, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the County Board of Equalization did not have jurisdiction over the valuation appeal due to the untimely filing of the Petition.

10:30 a.m. The Board recessed.

10:45 a.m. The Board reconvened with Member Green absent.

10-0841E **PARCEL NO. 082-092-02 – QUAIL RIDGE NORTH LLC – HEARING NO. 10-0439**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at North Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Assessment Notice, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

On behalf of the Petitioner, Roger Croteau was previously sworn. Mr. Croteau withdrew the petition.

10-0842E **PARCEL NO. 033-221-24 – 1301-1321 MCCARRAN LLC – HEARING NO. 10-0415**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1301 North McCarran Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Assessment Notice, 1 page.

Exhibit B: Income Statement and additional documentation, 24 pages.

Exhibit C: Documentation, 24 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 17 pages.

On behalf of the Petitioner, Roger Croteau was previously sworn.

On behalf of the Assessor and having been previously sworn, Howard Stockton, Appraiser, oriented the Board as to the location of the subject property.

Mr. Croteau stated the subject was a 22,228 square foot property built in 1989 that the Assessor's Office deemed to be office/dental space. He said the property contained roughly 4,000 square feet of medical-related space and the remaining 16,000 square feet was general-office space. He stated the issue was that 8,000 square feet out of the 16,000 square feet was vacant space. He noted the Assessor's Office had a value of \$116 per square foot on the subject, but the appellant felt the \$103 per square foot indicated by the income approach would be more accurate. He said the subject's average rental rate was \$1.25 on a modified-gross lease, the expenses were a little higher than those allocated by the Assessor's Office, and the vacancy rate was 10 percent higher. He noted the assumption regarding the property's income was off by \$.25 per square foot and the 8 percent cap rate should be 9 percent. He indicated he could not support the \$116 per square foot value because the property was not all medical/dental space. He advised the \$103 per square foot value was more than what it was worth, but the appellant was willing to accept it. He noted the \$103 per square foot value would equate to \$2,306,155.

Chairperson Covert asked Appraiser Stockton to address the square footage issue. Appraiser Stockton stated the subject was a mixed-use development consisting of medical, dental and general-office space. He reviewed the subject's attributes as shown on page 1 of Exhibit I. He noted the Petitioner had not provided any income and expense information, but 7,744 square feet was being offered for lease on LoopNet at \$1.25 to \$1.50 per month on a modified-gross basis. He noted the property had a vacancy rate of 35 percent based on the listing information.

Appraiser Stockton reviewed the comparable sales as shown on page 1 of Exhibit 1. He noted the comparables represented the total office area of the subject's three buildings. He said when using market assumptions for the income analysis, those assumptions indicated a total value of \$2,306,155 or \$103.75 per square foot. He advised the income analysis might be inconsistent with the subject's condition since some of the market assumptions might not exist for the subject property. He said the \$116.17 total

taxable value seemed reasonable and the recommendation was to uphold the Assessor's value based on the analyses.

In answer to Chairperson Covert's question regarding the square footage, Appraiser Stockton stated he looked at the subject property yesterday, but he did not measure every office. He advised he found two dental offices and two medical offices and, based on the subject's vacancy and use, the Assessor's breakdown as shown on page 9 of Exhibit I seemed consistent with the space in the building.

Appraiser Stockton said he reviewed the income statement submitted by the Petitioner. He advised the average lease rate was \$1.89 per square foot per month after subtracting the vacancies. He said the contracted rents exceeded the current market rents in that area, which was why the market assumption of \$1.50 for the entire space was not entirely accurate.

In rebuttal, Mr. Croteau said the Assessor's average rent was correct. He advised he was not aware the property had a fourth medical office; but he believed the appellant's breakdown was correct. He stated the new leases were at \$1.25 per square foot modified-gross and the higher rents represented older leases that had not yet been renegotiated. He indicated he did not know when those leases would expire, but the problem was the vacancy rate was 35 percent; and the \$1.25 per square foot rental rate was not attracting anyone to fill those vacancies. He noted the rent concessions diluted the higher per square foot rental rate.

Mr. Croteau said IS-1 was right next to a medical center and was 100 percent occupied, while the subject was not. He assumed IS-1 was 100 percent medical, which would make it an attractive property from a businessman's point of view.

Mr. Croteau said once the subject was depressed by the appropriate indicators, he felt its value would be more akin to the value suggested by the income approach. He said the appellant believed using the appellant's actual figures would lower the value, but the appellant was willing to accept the Assessor's value of \$2,306,155 to resolve the matter.

Member Woodland asked if the \$1.25 per square foot for rent was for this year or last year. Mr. Croteau said the subject was down to \$1.25 for all of last year.

Appraiser Stockton noted the expenses included charges for lease commissions, which were usually the result of a lease being signed. He asked if the Petitioner had updated lease rates for the property. Mr. Croteau said \$5,518 in commissions was returned in December 2009 because the lease was never performed.

Chairperson Covert said he calculated the percentage of medical/dental space at 5,883 square feet, while the Petitioner indicated it was 4,000 square feet. Rigoberto Lopez, Senior Appraiser, believed the Petitioner indicated it was 5,600 square feet. He noted he did the same calculation and it was very close. Mr. Croteau indicated

his client told him 4,000 square feet was currently rented by two dentists and one doctor. He noted there was medical space that was currently vacant, but was still considered to be medical space by the Assessor.

Chairperson Covert commented the income comparison used a 25 percent vacancy rate, but would 30 to 35 percent have been used if it was known that was the correct number. Appraiser Stockton replied since all of the properties were handled the same, he would have used the same number; but he might have given more weight to the income approach. However, the Petitioner was getting significantly more than \$1.50 per square foot, which also would be considered.

With regard to Parcel No. 033-221-24, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

**DISCUSSION FOR HEARING NO'S 10-0535A THROUGH
10-0535F**

On behalf of the Petitioner, John Knott was previously sworn and Steve Sullivan was sworn in by Chief Deputy Clerk Nancy Parent.

Chairperson Covert asked if the petitions could be heard all at once. Herb Kaplan, Legal Counsel, replied they could, but there would need to be separate motions.

On behalf of the Assessor and having been previously sworn, Craig Anacker, Appraiser, oriented the Board as to the location of the subject properties.

Mr. Knott stated it was difficult to identify any comparable sales, but the Assessor came up with an average value of \$2.31 per square foot. He said the subject property's gaming rights were transferred to a property across the street. He advised the property had been on the market 2.5 years, but there had been no offers at any price. He said the property was disadvantaged because Steamboat Creek ran down the middle of it, which created huge development challenges for the 65 acres that were developable. He said the appellant would accept \$2.30 per square foot for the 65 acres, which was the Assessor's average price. Chairperson Covert asked if the property included the hot springs. Mr. Sullivan explained the hot springs were located to the south.

Appraiser Anacker stated the subject properties combined had a total of 100.072 acres. He noted the \$2.31 per square foot value was actually \$2.52 per square foot when all six parcels were combined, and the value for the 65 usable acres would equate to \$3.88 per square foot. He said that value was in line with the value the Board agreed upon for the property on the other side of Highway 395, which had significantly

greater topography issues that were not even accounted for. He advised that value was set at \$4.50 per square foot. He felt even if the value for the 65 acres was considered, \$3.88 per square foot reflected the difference in location. He indicated the property across the highway on Mt. Rose had better freeway access. He said the \$4.50 per square foot would be \$5.00 if the topography issue at 10 percent was reflected, which was almost a 25 percent difference.

Appraiser Anacker noted comparable sales were considered for each individual parcel, but sales as recent as October 29, 2009 indicated the Assessor's values of \$2.52 per square foot for the total acreage and \$3.88 per square foot for the 65 acres was reasonable and possibly low.

Chairperson Covert noted the Assessor had a 20 percent reduction for drainage and topography. Appraiser Anacker said the impact of Steamboat Creek was addressed for each parcel, but he took the per square footage approach when looking at the total acreage.

In rebuttal, Mr. Knott reiterated the property had been on the market for 2.5 years. He felt donating the property to the County for \$10 million would be more advantageous from a tax perspective than what could be achieved from a market perspective. He felt it was unfair, when the appellant was willing to accept \$5 million to sell the property, that the property was valued at twice that. Appraiser Anacker said the land's taxable value was \$10,987,500, which equated to \$2.52 per square foot when divided by the total square footage. He said translating \$2.52 onto the 65 usable acres resulted in a value of \$3.88 per square foot.

Rigoberto Lopez, Senior Appraiser, asked for clarification regarding the listing price. Mr. Knott replied there was no listing price, but the appellant would accept \$5 million. Appraiser Anacker noted he would not call about a property when there was no listing price.

Chairperson Covert asked if the 20 percent reduction was sufficient for the detriment of Steamboat Creek. Appraiser Anacker stated the Assessor's value still held with the sales that were occurring at this point. Chairperson Covert asked if the topography adjustment for the creek was on all six parcels. Appraiser Anacker replied that was taken into consideration when considering the acreage as a whole and affectively 35 acres were not usable. He reiterated that the value was fair and reasonably low when the property was considered as a whole, especially when considering the value the Board placed on the parcels across the highway.

Chairperson Covert asked how usable was defined because the meandering of the Steamboat Creek appeared to show some good land might not be usable because of its location. Appraiser Anacker said the appellant's handout indicated zones a-d indicated a total usable acreage of 65 percent, so there was agreement regarding the 65 percent. Chairperson Covert asked if the topography adjustment was normal for this sort of thing. Appraiser Anacker stated the topography was not a big issue

because there was only a little going towards the creek. Chairperson Covert explained he did not have an issue with the numbers, but with Steamboat Creek being protected. He noted there could be severe building restrictions because of that protection. Appraiser Anacker felt that was reflected in the properties' low valuation.

Chairperson Covert indicated he would consider going down to \$2 per square foot, which would provide the appellant with some relief even though it was not what they wanted. Appraiser Anacker said 65 acres were not impacted by Steamboat Creek. Chairperson Covert indicated that would not prevent the Environmental Protection Agency from having issues. Appraiser Anacker said if that happened, adjustments would be made accordingly. He said \$2 per square foot would bring the total land value to \$8,710,098 for all of the parcels.

See 10-0843E through 10-0848E below for details concerning the petition, exhibits and decisions related to each of the properties in the consolidated group.

10-0843E PARCEL NO. 017-011-02 – TROPICANA STATION LLC –
HEARING NO. 10-0535A

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 14800 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Aerial photo and flood map, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0535A THROUGH 10-0535F above.

With regard to Parcel No. 017-011-02, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$495,930 to \$2 per square foot, for a total taxable land value of \$4,958,870, resulting in a total taxable value of \$4,958,870 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0844E **PARCEL NO. 017-011-03 – TROPICANA STATION LLC –**
HEARING NO. 10-0535B

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Aerial photo and flood map, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0535A THROUGH 10-0535F above.

Chairperson Covert noted this parcel was already valued at \$2 per square foot.

With regard to Parcel No. 017-011-03, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0845E **PARCEL NO. 017-011-05 – TROPICANA STATION LLC –**
HEARING NO. 10-0535C

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 14530 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Aerial photo and flood map, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

With regard to Parcel No. 017-011-05, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$207,534 to \$2 per square foot, for a total taxable land value of \$345,866, resulting in a total taxable value of \$345,866 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0846E PARCEL NO. 017-011-20 – TROPICANA STATION LLC –
HEARING NO. 10-0535D**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at State Route 341, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Aerial photo and flood map, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0535A THROUGH 10-0535F above.

With regard to Parcel No. 017-011-20, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$523,228 to \$2 per square foot, for a total taxable land value of \$872,072, resulting in a total taxable value of \$872,072 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0847E PARCEL NO. 017-011-21 – TROPICANA STATION LLC –
HEARING NO. 10-0535E**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 600 Geiger Grade Road, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Aerial photo and flood map, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0535A THROUGH 10-0535F above.

Chairperson Covert stated this parcel contained a house, but the structure had no value.

With regard to Parcel No. 017-011-21, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced in half to \$2 per square foot, for a total taxable land value of \$123,700 and the taxable improvement value be reduced to \$0, resulting in a total taxable value of \$123,700 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0848E PARCEL NO. 017-011-23 – TROPICANA STATION LLC –
HEARING NO. 10-0535F

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 14600 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Aerial photo and flood map, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0535A THROUGH 10-0535F above.

With regard to Parcel No. 017-011-23, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$918,732 to \$2 per square foot, for a total taxable land value of \$2,299,968, resulting in a total taxable value of \$2,299,968 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0849E PARCEL NO. 162-251-17 – DOHERTY LIVING TRUST –
HEARING NO. 10-0725

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 11130 Dixon Lane, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 7 pages.

Exhibit B: Additional evidence, 32 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 12 pages.

On behalf of the Petitioner, Michael Doherty was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Patricia Regan, Appraiser, oriented the Board as to the location of the subject property.

Mr. Doherty reviewed the "Statement in Support of a Reduction in Assessed Value" as shown on page 1 of Exhibit B, which concluded the subject's assessed value was too high and there was an inequity in its valuation based on the comparables in the subject's class and area. He said his nine comparables were summarized on page 2 of Exhibit B. He indicated the closest comparable was at 9650 Passa Temo Drive, which sold for \$850,000 on July 13, 2009 and had a taxable value of \$859,728. He stated the home was on the market for approximately two years, so it had ample time to reach the correct price point.

Mr. Doherty explained the average price per square foot of his comparables was \$149.07. He requested his property be reevaluated based on the current market conditions because he built the home at the market's peak and was taxed at that rate.

Mr. Doherty said the Assessor's comments regarding IS-1 should be disallowed because they were based on hearsay. He stated he had been in the home and it was not inferior to the subject. He said IS-3 had a different sales price than what the Assessor's Office listed based on the MLS report, but it was not a big difference. He noted the biggest difference was it had an acre more of land than the subject. He discussed the differences between his and the Assessor's comparables on Silver Wolf Road.

Appraiser Regan reviewed the improved sales as shown on page 1 of Exhibit I. She noted if a sale did not appear to be consistent with what was going on in the area, the appraiser would attempt to verify the sale. She said she spoke with the listing agent and the owners of IS-1 could not produce the documentation for the title company to close the sale and the comments demonstrated there had been a good offer. She noted the discrepancy between the Assessor's and the appellant's sales price for IS-3 was due to the Assessor's Office using the sales price in the recorded document.

Appraiser Regan explained permits were worked up to the lien date of July 1st every year. She noted the last time an appraiser was actually in the subject was when the home was 40 percent completed. She advised she offered to walk through the finished home to verify the quality class because it could make a big difference in the costing of a home, but there was no response to the phone message she left. She stated she only had the documentation from the appraiser who tried to work the final appeal in 2005, which documented the attempts to contact the property owner for entry to the subject property. She advised the picture of the subject was taken in 2004.

Member Brown noted IS-1 had a quality class of 5 and the subject was classed at a 7. Appraiser Regan said she was able to gain entry into 95 to 98 percent of homes when working a permit, which was needed to adequately apply a quality class. She stated an appraiser was unable to see the true finished product, even though plans were used, without being able to enter a finished home.

Member Brown asked if the housing market in Washoe County peaked in 2004 or 2006. Appraiser Regan said the house was not put on the rolls based on the market, but based on the construction for this quality class. She believed the builder built the subject just when the peak was approaching.

In rebuttal, Mr. Doherty recalled someone walking through the house when it was finished, but prior to moving in. He understood that having an appraiser walk through the house was not a requirement. Chairperson Covert commented it might not be a requirement, but it was better if an appraiser walked through the house. Mr. Doherty replied he was not aware of that. He commented he built custom homes in Washoe County for 25 years and five homes in this neighborhood, but he was not building them any more. He said this house was built as his personal residence.

Member Woodland said she would uphold the Assessor's valuation based on the appraiser going out to the house to verify the quality class. Chairperson Covert commented the Petitioner had denied entry twice. Mr. Doherty said he would have no problem with having the house inspected.

Chairperson Covert asked if that would be a factual error. Rigoberto Lopez, Senior Appraiser, advised the appellant should file an appeal with the State Board of Equalization, so the Assessor's Office could make a recommendation to correct the quality class if it was found to be incorrect.

With regard to Parcel No. 162-251-17, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0850E PARCEL NO. 007-153-19 – STEP 1 INC –
HEARING NO. 10-0086E09

A Petition for Review of Assessed Valuation was received protesting the 2009/10 taxable valuation on land and improvements located at 1015 North Sierra Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Agreement with Washoe County HOME Consortium, 15 pages.

Exhibit B: Letter, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 3 pages.

On behalf of the Petitioner, Bengt Sternberg was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Ivy Diezel, Department Systems Support Analyst, oriented the Board as to the location of the subject property. She noted the appellant filed his application for an exemption on time and, after the long process of completing all of the paperwork, the appellant qualified for a 100 percent exemption under NRS 361.082. She advised the Assessor's Office recommended the Board approve the exemption. She explained the taxable value remained the same, but 100 percent of the taxable value would be exempt.

Mr. Sternberg confirmed he agreed with the Assessor's recommendation.

With regard to Parcel No. 007-153-19 pursuant to NRS 361.082, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried with Member Green absent, it was ordered that the Petitioner be granted 100 percent exemption for property taxes for tax year 2009/10.

12:15 p.m. The Board recessed.

12:50 p.m. The Board reconvened with Member Green absent.

10-0851E **PARCEL NO. 202-052-15 – MCQUEEN CROSSINGS SC LP – HEARING NO. 10-0711**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1630 Robb Drive, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Summary of Salient Facts, 32 pages.

Exhibit B: Letter and supporting documentation, 7 pages.

Assessor

Exhibit I: Letter and supporting documentation, 5 pages.

Exhibit II: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 14 pages.

Chairperson Covert opened the hearing with the Petitioner's representatives testifying via a teleconference call. Chairperson Covert then stated he wanted it put on the record that he protested this phone call as being highly unusual and it would set absolutely no precedent that anybody could request a teleconference hearing. He said he would allow the testimony provided by the Petitioner during this conference call. Josh Wilson, Assessor, stated he had never participated in a teleconference hearing before the County Board of Equalization (CBOE) in his years with the Washoe County Assessor's Office, and he voiced his objections to the teleconference call. On behalf of the Petitioner, Jerry Chatam replied the Board approved conducting this hearing by a teleconference call; otherwise, the appellant's representatives would have been present. Chairperson Covert said the appellant did not yet have the floor. Mr. Wilson said he wanted his objections on the record.

On behalf of the Assessor and having been previously sworn, Paul Oliphint, Appraiser, oriented the Board as to the location of the subject property. He questioned whether Mr. Newell or Mr. Casad were licensed real-estate appraisers in the states of Kansas or Nevada. Mr. Chatam replied they were not, but he did not believe that had anything to do with their testimony because they were not presenting what he would term was an appraisal.

On behalf of the Petitioner, Jerry Chatam, Joseph Casad, and Wayne Bentlage were sworn in by Chief Deputy Clerk Nancy Parent.

Appraiser Oliphint asked who inspected the subject and the comparable sales and when that occurred. Mr. Chatam replied he was not sure of the dates.

Mr. Bentlage said the property was a grocery/convenience-store facility. Appraiser Oliphint clarified only the supermarket was being heard because that was how it was appealed. After further discussion regarding the qualifications of the individuals testifying for the appellant, Appraiser Oliphint asked if the appellant was defending the \$4,520,207 value on the petition or the income approach of \$7,888,000. Mr. Bentlage replied the taxpayer's value was \$7,888,000, which included the convenience store and was the additional parcel on the property. Appraiser Oliphint advised they were appealed separately. Mr. Bentlage replied Mr. Newell took them both into account when he did the report.

Mr. Bentlage discussed the properties used as the lease comparables as shown on page 6 (circled numbers) in Exhibit A. He stated the first four properties were used to set the lease rate for the grocery store. He also discussed the four additional comparables as shown on page 2 in Exhibit B, indicating they were box-retailer buildings built closer to the time the subject property was built. He stated Mr. Newell believed the properties were similar in size and age and were a good indication of the lease rate on the Raley's grocery store, which was how the \$12 market rent was calculated.

Mr. Bentlage reviewed the income and expense analysis as shown on page 5 of Exhibit A. He commented the 10 percent vacancy rate might be a little low, because he understood the current rate was 12.5 percent. He said the 10 percent used for expenses included management, maintenance, and other miscellaneous operating expenses. He advised it was a triple-net lease. He stated subject's indicated value was \$7,426,766.

Mr. Bentlage said the data on the comparables showed how the market rents were developed. He discussed the comparable properties currently for sale as shown on page 13 of Exhibit A. He indicated the main basis for valuing the subject property was the income approach.

Appraiser Oliphint discussed the subject property and the Assessor's comparables as shown in Exhibit II. He stated the comparables were all net-leased anchor stores instead of a variety of flexed-industrial shopping centers. He noted the most comparable sale was Comparable 2. He said the taxable value of the subject was \$135.71 per square foot. He stated the sales comparison approach was being given more weight because this was a long-term lease to a regional-credit tenant and a copy of the lease was not provided. He explained the subject's value was \$165 a square foot or \$10,716,000 based on the range of the comparable sales.

Appraiser Oliphint then reviewed the income approach information, as shown on page 5 of Exhibit II. He advised this was a rough income approach without knowing the terms of the lease. He stated anyone buying the subject property would look at the lease and would base the purchase price on the contracted rent. He discussed the Capitalization Rate Summary on page 6, which indicated a capitalization rate of 7.75 percent. He also discussed the income approach summary on page 7 that calculated a

total value of \$10,135,000. He noted the Scolari's sale at \$222 a square foot was just down the street from the subject.

Appraiser Oliphint reiterated more weight was put on the sales-comparison approach, which placed a total value of \$10,715,000 on the subject. He said regarding the appellant's first two rental comparisons, what really mattered were the contracted rents, which the Assessor's Office did not have. He noted that the only new comparable in the data supplied yesterday was the Walmart, which was a mega-store twice the size of the subject. He discussed the issues with the listings as shown on page 13 of Exhibit A and the remainder of the appellant's comparables, none of which were net-leased anchors. He pointed out the comparable on page 20 was a ground lease, not an improved sale. He noted the comparable on page 21 was a good sale, but was only for the shopping center portion and was exclusive of the Safeway. He said the correct per square foot price was \$96. He said he did not see where the 10 percent operating expense ratio came from, nor did he see any cap rates in the appellant's report.

In rebuttal, Mr. Chatam said Appraiser Oliphint indicated the \$9.4 million Scolari's sale was the best sale, but the County had its value at \$5,509,473. Appraiser Oliphint explained Nevada used a cost-model system instead of a market-value system, which could result in a taxable value under the market value and was why the value did not relate to the sales price.

Mr. Chatam stated the Scolari's was valued at \$5,509,473 or \$130 per square foot, but sold for \$9.4 million. He said the CVS that sold on Northtowne Lane had a sale price of \$5,268,565 and was valued at \$1,836,715. He stated Appraiser Oliphint was drawing a comparison between that property and the subject property, while the subject was four times the size of the CVS property. He advised the Scolari's sale was a sale-lease back transaction. He said sale-lease back transactions were not arms-length transactions, but were financing tools predicated on what something cost, not the market value of the property. He stated the Scolari's sale was being used without any adjustments being made and it was also used in the Assessor's capitalization rate to set the lease rate on the property, while its value was approximately half of what the sales price was. He noted the CVS was even less than that.

Mr. Chatam said regarding the Assessor's income approach, the appellant did not know how the Assessor arrived at the lease rate because the Assessor had lease comparables at \$15.12, \$17.52, and \$16.68 a square foot, but no adjustments were made to any of them. He said the Raley's at Wingfield Springs was a build-to-suit situation and the Scolari's was a sale-lease back, both of which were not open market transactions. He stated he did not see one comparable in that analysis that was currently for lease. He said it was not about what a property rented for in 2007, but about what it would lease for as of the date of the valuation; and there was no data that pointed to a number. He said the Assessor's capitalization rate summary had three comparables, all of which were smaller than the subject. He stated the Virginia Street property had 8,900 square feet, but he did not see any discussion on the impact the size would have on the liquidity and the risk

associated with that investment. He said the Assessor calculated a rent of \$16.68 a square foot for every property the appellant had. He asked how the Assessor's Office concluded the subject was equalized when it was built the same year as the Scolari's, but its value was higher.

Mr. Chatam said Appraiser Oliphint indicated the Assessor's Office did not know the lease rate of this property, but it would always sell based on its lease rate. He stated the appellant was here to do a fee simple, which meant looking at what the property would rent for in today's market and not what it rented for four years ago. He stated Appraiser Oliphint came in with data that pointed to a higher number; and he read a statement regarding Nevada's Board of Equalization rules indicating the Assessor had to provide notice in writing prior to the hearing when requesting a higher assessed value. Mr. Chatam said his point was this data was received from the Assessor's Office this morning, while the Petitioner's data had been submitted well in advance of the hearing.

Mr. Chatam stated only 9 percent depreciation was being applied to the subject property in the Assessor's cost approach. He said there was no economic obsolescence being applied and there were no comparables that indicated what properties were renting for today. He noted one of the three comparables being used to set the Assessor's capitalization rate was a sale-lease back transaction and the others were less than 25 percent of the size of the subject. He advised he did not understand how a comparison could be made of properties of such different sizes.

Chairperson Covert asked if the appellant had provided the Assessor's Office with a copy of the lease agreement. Mr. Chatam replied they had not. Chairperson Covert said that information would have been helpful. Mr. Chatam replied it was proprietary information and that information had to be protected because, if that information got out, it could compromise the Petitioner's position within the business community. He said Appraiser Oliphint was trying to use data that was five years old, but it should be about where the market was today. He felt there was no data whatsoever to support the Assessor's position.

Mr. Chatam commented regarding how he felt about his interactions with Appraiser Oliphint. Chairperson Covert said Mr. Chatam's remarks did not address the evidence and any disagreement was between Mr. Chatam and Appraiser Oliphint. He advised this hearing would be conducted in a professional manner. Mr. Chatam agreed.

Mr. Chatam said he would not have a problem submitting a copy of the lease under a protective order. Chairperson Covert said the confidential data could be submitted to the Assessor's Office with the condition it be kept confidential. It would only be used to assess the property and would not become public knowledge. Mr. Chatam felt a 4.5-year old lease was irrelevant to the situation, because the prime dictator of market lease rates was the current market. He said someone would have to be dreaming to believe the property could be leased again for what it was leased for in 2004. Chairperson Covert said he did not necessarily disagree, but it would be another little piece of information that could be helpful.

Chairperson Covert asked if there was anything further. Mr. Chatam replied there was not.

Member Krolick felt based on evidence presented by the Petitioner, the Board had no other choice but to uphold the Assessor's values. He the Petitioner's testimony was based on the income statement and there was no way to value the property without a lease because there was no way to evaluate the property's income. Because of his commercial real estate background, he said he disagreed with the Petitioner's approach using current market conditions.

With regard to Parcel No. 202-052-15, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0852E PARCEL NO. 202-052-09 – MCQUEEN CROSSINGS SC LP –
HEARING NO. 10-0712

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1690 Robb Drive, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 31 pages.

Exhibit B: Letter and supporting documentation, 7 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 5 pages.

Exhibit II: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 17 pages.

On behalf of the Petitioner, Jerry Chatam, Joseph Casad, and Wayne Bentlage were previously sworn.

On behalf of the Assessor and having been previously sworn, Paul Oliphint, Appraiser, oriented the Board as to the location of the subject property.

Mr. Bentlage reviewed the income and expense analysis as provided in Exhibit A. He said \$460,842 was the value of the convenience store/gas station portion of the property. Mr. Chatam stated the actual lease rate was \$31.90 per square foot.

Appraiser Oliphint said the subject had good visibility because it was on the corner of Robb Drive and Mae Anne Avenue. He noted the convenience store was 1,560 square feet and the drive-through car wash was 832 square feet. He reviewed the two comparable sales as shown on page 1 of Exhibit II. He said page 8 of Exhibit II mapped all of the mini-marts, and he located the comparables on the map. Chairperson Covert asked if IS-1 was a comparable location to the subject. Appraiser Oliphint said it had a slightly higher traffic count, but the access was difficult and it had more competition in its immediate area. Chairperson Covert asked if it had a car wash. Appraiser Oliphint replied it did not.

Appraiser Oliphint advised his research indicated the household income within a one mile radius of a mini-mart appeared to have a significant impact. He noted the subject had six mini-marts north of I-80 and west of Keystone and, if the household income in that area was compared to the subject, the subject was in a superior location.

Appraiser Oliphint said a large area was devoted to the drive-through lanes, which could have been used to build a larger store and would have been cheaper to build. He stated from 2004-07 there were .75 gas station/mini-marts built in the Reno area and up to three a year in last three years, which indicated it was a popular product right now. He noted 50 percent of the gas station/mini-marts were built with a car wash, so it was a desirable amenity. He stated if \$475 per square foot was used and included the car wash, it would be between the values of \$459 and \$493 per square foot and over the subject's taxable value of \$467.39. He concluded the cash wash's contributory value was \$300,000 and the total value of the mini-mart/gas station and the car wash was \$1,230,000.

Chairperson Covert asked why the Assessor's Office did not do an income approach. Appraiser Oliphint replied he could not find enough rental rates of similar properties to do one. He advised the properties available for rent were much older and in challenged locations. He reviewed the appellant's comparable rents noting that two of them were renting out the available line-shop restaurant that was part of or next to a gas station and neither was comparable to the subject. He went on to review the appellant's comparable sales, which were older comparables than those used by the Assessor.

In rebuttal, Mr. Chatam stated IS-1 was valued at \$390,240 for 2010, not \$950,000. Chairperson Covert believed it did not have a car wash. Mr. Chatam replied the subject's car wash was not worth \$750,000. He said IS-2 was valued at \$426,305 for 2010 and IS-3 was valued by the County at a third of its sales price. He advised that car wash sold again on February 2, 2010 for \$500,000. He indicated he did not understand how it was fair that the subject property was valued at the sale price and others were not even close to being valued that way. He felt the subject should be valued consistent with the comparables the Assessor used. He said something should be added for the car wash,

but a car wash would not double a property's value and it would have to be tripled to reach the Assessor's value.

Mr. Chatam said there was no income approach calculated, but the subject was rented at \$31.90 per square foot. He noted \$31 per square foot was used in the appellant's analysis because the market was down and the economy was depressed, but he would agree to the Assessor using \$31.90 to calculate the income approach.

Chairperson Covert asked about the 2010 sale of the car wash. Appraiser Oliphint replied that sale was a repossession and not a market sale. Mr. Chatam said there was previous discussion about the Scolari's being an out-of-market sale with a sale-lease back. He said if out-of-market sales were looked at, they should be looked at across the board.

Chairperson Covert asked if the appellant had any further testimony. Mr. Chatam replied he did not. Chairperson Covert closed the public hearing.

Chairperson Covert said his issue was the lack of solid information on car washes/mini-marts. Appraiser Oliphint said the sale prices ranged from \$450 to \$497 per square foot and the subject's taxable value was under \$475 if the car wash was included. He noted the subject was a new facility with a great location, and the appellant's income approach did not include the car wash. Chairperson Covert asked if the Assessor's position was the subject was in a more desirable location than the others presented to the Board. Appraiser Oliphint replied that was true in terms of the subject's competition, surrounding household income, access, and complementary retail on site.

Josh Wilson, Assessor, indicated he thought the appellant should have the opportunity to rebut this new information.

Mr. Chatam thanked Mr. Wilson. He said Appraiser Oliphint was talking about \$475 per square foot and then adding in the car wash. He stated none of the comparables were valued over \$211 per square foot, and he did not see how that was right. He said no one could convince him that was fair and there needed to be some equalization.

Mr. Chatam said he had nothing further to add. Chairperson Covert closed the public hearing.

Chairperson Covert suggested reducing the improvements by \$200,000.

With regard to Parcel No. 202-052-09, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$436,497 due to \$200,000 in obsolescence, resulting in a total taxable value of \$917,997 for tax year 2010/11. With that adjustment, it was found that the land

and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0853E PARCEL NO. 049-731-10 – RALEY'S FAMILY OF FINE STORES – HEARING NO. 10-0715

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 18144 Wedge Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 25 pages.

Exhibit B: Letter and supporting documentation, 7 pages.

Assessor

None.

On behalf of the Petitioner, Jerry Chatam, Joseph Casad, and Wayne Bentlage were previously sworn.

Mr. Chatam withdrew the appeal because the Assessor's Office and the appellant's values were close.

10-0854E PARCEL NO. 027-520-01 – RALEY'S/SPARKS MERCANTILE LP – HEARING NO. 10-0716

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 2895 North McCarran Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 25 pages.

Exhibit B: Lease, 5 pages.

Exhibit C: Letter and supporting documentation, 7 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 14 pages.

On behalf of the Petitioner, Jerry Chatam, Joseph Casad, and Wayne Bentlage were previously sworn.

On behalf of the Assessor and having been previously sworn, Paul Oliphint, oriented the Board as to the location of the subject property.

Mr. Bentlage discussed the subject property and noted the comparables were the same as those used during Hearing No. 10-0711. He reviewed the income and expense analysis as provided in Exhibit A, which indicated a value of \$6,031,927. Mr. Chatam felt the Assessor would have the same objections to the appellant's comparables as before, so they would not go through them again unless there were additional questions.

Appraiser Oliphint reviewed the comparable sales as shown on page 1 of Exhibit I. He said the concluded value was \$10,128,000 or \$160 per square foot. He noted the Assessor's Office did not have a copy of the lease, which would be the basis for someone to buy a property. He felt the income approach value did not have much relevancy without that information. He noted the most relevant comparable was the recent Raley's lease, which indicated what an upscale grocer would pay for a decent location. He reviewed the income approach summary as shown on page 7 of Exhibit I. He indicated the reconciled value leaned heavily towards the sales comparison approach at \$10,130,000. He said the lowest comparable sale was \$130 per square foot and the subject was \$109 per square foot. He advised the Assessor's taxable value could be anything under the market value based on the cost and depreciation. He said a number of the sales were older and had significantly different physical characteristics. He noted the Scolari's was substantially smaller than the subject and was one quality class lower.

Member Krolick stated he did not understand why the subject was a 3 quality class and the Robb Drive store was a 2.5. Appraiser Oliphint replied he was not the appraiser for the properties, so he did not know what the difference was. Member Krolick said it was being compared to the Whole Foods store, which was a 2.5 quality class and was completely renovated. Member Woodland said the subject was a little older than the Robb Drive store, but was a nice store that had been remodeled awhile ago. Chairperson Covert commented the Whole Foods was completely remodeled recently. Member Brown said the Raley's physical environment was nicer than that of Whole Foods.

Chairperson Covert asked what the difference would be if the subject were a 2.5 quality class instead of a 3 quality class. Member Woodland felt the subject should not be a higher quality class than the store on Robb Drive. Gary Warren, Senior Appraiser, said it would be \$9 per square foot. Chairperson Covert said that would be approximately a \$570,000 difference.

In rebuttal, Mr. Chatam agreed the subject's quality class should not be higher than that of the Robb Drive store. He indicated the subject was 12 years old and the Assessor used 9 percent depreciation, which was less than 1 percent per year. He said the building's economic life was between 40 and 50 years and the depreciation rate should be between 2 and 2.5 percent per year if a straight-line method was used. He

believed since no obsolescence was applied to the subject, it appeared the 9 percent depreciation was low.

Mr. Chatam said the Scolari's store was valued at \$130 per square foot instead of the sale price of \$222 per square foot. He stated CVS was valued at \$135 per square foot instead of the \$389 per square foot sale price. He indicated he felt it was difficult to draw a comparison between the subject and the comparables used to generate the capitalization rate without properly analyzing the transactions. He said there would be different users for a 5,000 square foot property than for a 60,000 square foot property. He stated there would be more interest in a 5,000 square foot property, which would impact the liquidity and the desirability of the larger property from a capitalization rate standpoint. He indicated that would be a negative for the subject property and would warrant a higher capitalization rate. He said the appellant did not believe a sales-lease back transaction was a market transaction, but all appraisers adjusted for sale-lease back transactions at 35 to 40 percent. He believed the County had overstated the subject's quality and understated the depreciation.

Chairperson Covert asked Appraiser Oliphint to explain the depreciation. Appraiser Oliphint said the record card on page 3 of Exhibit I indicated the percentage of depreciation was 18 percent, which was 1.5 percent per year by statute and was correct for a 12-year old property. Mr. Chatam said he stood corrected. He asked if the 18 percent included economic obsolescence. Appraiser Oliphint replied the 1.5 percent was the statutory physical depreciation. He stated the mandatory depreciation rate on convenience stores had resulted in them being below their economic value. He reiterated the taxable value could be anything under market value as long it was inline with the *Marshall and Swift* cost model.

Mr. Chatam indicated he had no further testimony. Chairperson Covert closed the public hearing.

Chairperson Covert believed a reduction in the quality class was warranted.

Member Woodland made a motion to reduce the quality class to 2.5 and to apply \$77,421 in obsolescence while keeping the land the same, which would result in a total taxable value of \$6,220,400. The motion failed due to the lack of a second.

Member Brown made a motion to uphold the Assessor's appraisal of the subject property. The motion failed due to the lack of a second.

With regard to Parcel No. 027-520-01, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried with Member Green absent and Member Brown voting "no," it was ordered that the taxable land value be upheld and the taxable improvement value be reduced by \$570,000 based on a reduction in Quality Class from 3 to 2.5 for a total improvement value of \$4,077,421,

resulting in a total taxable value of \$6,297,821 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0855E PARCEL NO. 162-260-02 – H & N PROPERTIES LLC –
HEARING NO. 10-0560

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 11301 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Historical data for budget purposes, 2 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 21 pages.

Exhibit II: Income approach data, 7 pages.

On behalf of the Petitioner, David Allen was previously sworn.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property.

Mr. Allen said the subject property was leased from H & N Properties LLC. He stated the house on the property was no longer habitable, but a demolition permit was needed to remove it. He advised the land was valued at \$12 per square foot and a 20 percent discount brought it down to \$9.60 per square foot. He said he heard the Summit property with its superior location and flat land was valued at \$9 per square foot. He said sales were down 52 percent from 2007 to 2009, and he was looking for some help. Chairperson Covert advised there was an economy of scale for land.

Appraiser Bozman advised the 20 percent reduction was taken off of \$8.40 per square foot in recognition of the subject's use. He said the value for the property was in the land and the front building was where the plants and pottery were kept. He said the house the appellant mentioned was located somewhere in the back of the property and it had a value of \$8,007. He said it was observed that the structure was damaged and was used as storage. He noted the damage lead to the application of \$10,000 in obsolescence. He said the structure would be taken off the record when a demolition permit was obtained.

Appraiser Bozman reviewed the comparable sales and the income approach, which was done as a ground lease, as shown in Exhibit I. He said the Bureau of

Indian Affairs indicated the leases for the Mercedes-Benz and Acura dealerships were at \$.065 per square foot as shown on page 2 of Exhibit II.

Chairperson Covert asked about the appellant's income statement. Appraiser Bozman indicated it showed the appellant's total operations including the cost of goods from the tree farm in Oregon, and he was not sure how to separate the Washoe County operations. He said the income statement supported the total taxable value of the property.

Chairperson Covert asked if the numbers were assumed to be only for the subject property, would the income approach change. Appraiser Bozman said the major costs of goods were the goods coming from Oregon where the plants and trees were grown, and he would have to look into those costs because the appellant owned the Oregon property.

Josh Wilson, Assessor, stated he understood the income statement would be pertinent information for the valuation of the business, but he was not sure what relevance it had to the valuation of the property. He said the lease rates for the property would be applicable to the valuation of the property, but he did not see the lease information.

Chairperson Covert asked if the cost of goods sold was a transfer price. Mr. Allen replied that was correct and the Oregon facility was operated on a cost basis. He said the only thing keeping them in business was they already owned the Oregon inventory.

Mr. Allen explained the rent was included with the sales expense numbers, which were only for the South Virginia location. He said that location was built to supply landscape contractors and that business had disappeared for now.

With regard to Parcel No. 162-260-02, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Krolick, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

DISCUSSION FOR HEARING NO'S 10-0262A AND 10-0262B

On behalf of the Petitioner, Jack McAuliffe was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Patricia Regan, Appraiser, oriented the Board as to the location of the subject properties.

Mr. McAuliffe said he concurred with the Assessor's recommendation for Hearing No. 10-0262A, but he did not entirely agree with the Assessor's recommendation for Hearing No. 10-0262B.

Appraiser Regan said she needed to discuss both parcels together so she could explain the thought process regarding her analysis. She stated all of the Incline Village commercial sales data was very dated or for small units that were not comparable to the subject, so weight was placed on the income approach. She advised the owner provided the income and expense statements with the appeal. The owner felt the value should be \$1 million for Hearing No. 10-0262A based on expenses and vacancies, while the parcel for Hearing No. 10-0262B should have a value of \$3 million for an overall value of \$4 million. She noted one parcel had a slightly higher vacancy rate than the other, but the Assessor's Office looked at them as being one unit when doing the income analysis because they shared driveways and parking lots. She discussed how the rents were looked at to arrive at the overall value. She said the recommended overall value of approximately \$3.6 million was less than the \$4 million the owner was requesting, and the Assessor's Office was asking the Board to accept their recommendations.

Member Krolick said some of the subjects' vacancy problems were caused by the protection given to tenants regarding who new space could be rented to.

In rebuttal, Mr. McAuliffe reiterated he agreed with the recommendation for Hearing 10-0262A, but the appraiser's potential gross income was the issue he had regarding Hearing No. 10-0262B. He said the appellant did not have the same confidence in the potential of the property as the Assessor's Office did, because that potential was not being seen in the Incline Village market.

Mr. McAuliffe stated the fully rented properties were purchased as an integrated unit in November 2005 at the top of the market, but vacancies had increased significantly since then. He said the two buildings on the property for Hearing No. 10-0262B had a total of 16,000 square feet and only two of the ten units were rented. He said one tenant reduced the amount of space they occupied by half and also received a rent reduction from \$3.50 per square foot to \$1.50 per square foot. Chairperson Covert asked what the vacancy rate was. Mr. McAuliffe replied the vacancy rate was 80 percent. He said only one new tenant was found for the property in the last 2.5 years. He advised that tenant leased 944 square feet for a restaurant at \$.67 per square foot and paid a share of the CAMs. He stated the appellant was requesting a total reduction of 20 to 25 percent instead of the Assessor's recommended 17 percent.

Mike Churchfield, Appraiser, said he could not find the subject property on LoopNet. He stated if someone was looking for property, there was no way to know the property was available. He indicated the property might be listed somewhere, but LoopNet or CoStar were the main checking points for commercial brokers. He noted \$1.75 per square foot was used as the rental rate for the office space due to the underground parking. He noted the rental rates were lower than what the appellant was getting, but some of the rates were above \$2 even though it appeared recently the

appellant had started to lower rates. He said the properties were looked at as if stabilized because the rates were high and they could not afford to get tenants in at a lower rate and still run the business.

Mr. McAuliffe said the appellant was happy to find a tenant at \$.67 per square foot. He advised the appellant was not seeing the potential the Assessor's Office anticipated and did not believe that potential would be realized this year. He noted the buildings on the two parcels were built two years apart, but the Assessor had the parcel for Hearing No. 10-0262A at \$144 per square foot and this one at \$185 per square foot. He stated there was no significant difference in the two buildings because they were built as an integrated shopping center by the same architect, contractor and developer. Chairperson Covert noted there was a large difference in the square footage for the two buildings.

See 10-0856E and 10-0857E below for details concerning the petition, exhibits and decisions related to each of the properties in the consolidated group.

10-0856E PARCEL NO. 132-240-10 – A. M. DAVIS MERCANTILE CO. –
HEARING NO. 10-0262A

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 899 Tahoe Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Income Statement and supporting documents, 3 pages.

Exhibit B: Letter and supporting documentation, 7 pages.

Exhibit C: Income statement, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 11 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0262A AND 10-0262B above.

With regard to Parcel No. 132-240-10, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$532,007 due to economic obsolescence, resulting in a total taxable value of \$912,107 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0857E **PARCEL NO. 132-240-18 – A. M. DAVIS MERCANTILE CO. –**
HEARING NO. 10-0262B

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 893 Tahoe Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Income Statement and supporting documents, 3 pages.

Exhibit B: Letter and supporting documentation, 7 pages.

Exhibit C: Income statement, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 11 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0262A AND 10-0262B above.

Member Krolick stated he would support a 20 percent reduction because the property had no visibility from the street, and he felt the property would be vacant for quite awhile. Mr. McAuliffe indicated that could be helpful in getting new tenants because they paid a pro rata share of the taxes.

With regard to Parcel No. 132-240-18, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced due to economic obsolescence of \$652,422 for a total taxable improvement value of \$1,975,588, resulting in a total taxable value of \$2,609,688 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

3:20 p.m. The Board recessed.

3:30 p.m. The Board reconvened with Member Green absent.

10-0858E **PARCEL NO. 037-020-67 – SPARKS MARINA RV PARK LLC –**
HEARING NO. 10-0241

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1200 East Lincoln Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Appraisal, 84 pages.

Exhibit B: Updated appraisal report, 28 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 11 pages.

On behalf of the Petitioner, James Walsh was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Virginia Dillon, Appraiser, oriented the Board as to the location of the subject property. She said the appellant had been in agreement with the Assessor's recommendation, but she now understood there was additional information the appellant wanted to present.

Mr. Walsh said the Petitioner originally filed the appeal based on an April 2009 appraisal, which contained revenue and expense projections for 2009 that did not match the actual 2009 figures. He indicated the Assessor agreed with the appellant's value of \$4,080,000 and there was no quarrel with the land value. He stated the subsequent update to the appraisal, using the actual figures, indicated the net income for 2009 was only \$45,000; and the appellant felt the economic obsolescence number should be larger. He said the 2009 occupancy of the RV park was 18 percent and the income kept going down. He stated there were six RV's occupying spaces when he last drove through the approximately 200-space park. Chairperson Covert asked if the occupancy was short-term. Mr. Walsh replied an RV would generally come in for a week's stay, but the property was not a mobile-home park where someone would set up for a long period. Chairperson Covert indicated the vacancy rates were not applicable. Mr. Walsh replied they were to the extent that the occupancies translated to income. He said at 50 percent occupancy the park would have had a net income of approximately \$65,000 and would have generated a value of approximately \$650,000 using a 10 percent cap rate, which was still way below the land's value. He said the Petitioner had applied to change the use of the land into an actual mobile-home park because of the property's economic situation.

Mr. Walsh said the Assessor made a recommendation based on the April 2009 appraisal, but the actual numbers were provided in Exhibit B. He said if the total value of \$3,370,000 was used, along with the Assessor's proposed land value of \$2,713,200, it would lead to economic obsolescence of \$2,425,310 and an improvement value of \$656,800. He felt the updated appraisal's key point was it contained the actual hard numbers, which showed the 18 percent occupancy rate and the approximately \$45,000 in net operating income. He indicated also germane to the analysis of determining value, was that there were no comparable sales of RV parks in this area. He said the updated appraisal indicated a market value of \$3,370,000.

Appraiser Dillon explained based on the \$4,080,000 appraisal, the lack of recent sales, and on market conditions, the indication was the taxable value exceeded full cash value. The Assessor's recommendation was to leave the land value the same and to apply \$1,715,310 in obsolescence to the improvements, resulting in a total improvement value of \$1,366,800 and a total taxable value of \$4,080,000. She noted the obsolescence amount was a correction to the amount shown on page 1 of Exhibit I.

Member Krolick asked if the Assessor's Office had reviewed the updated appraisal. Appraiser Dillon replied it had been reviewed.

Paul Oliphint, Appraiser, asked if the first appraisal was done for lending purposes, and he wanted to verify this was an authorized use of the report. Mr. Walsh replied it was and the letter of transmittal was incorrect. Appraiser Oliphint asked if this was an authorized use of the update. Mr. Walsh replied it was.

Appraiser Oliphint said the issue was the Petitioner's appraiser, Mr. Paul Alves, relied primarily on the sales comparison approach in the original appraisal. Appraiser Oliphint said the Assessor's Office did not have a problem with that first appraisal that included sales from Fallon (NV) and Susanville (CA), which were the closest sales available for RV parks. He stated the update had no sales comparison approach even though it was the primary approach used in the original appraisal and even though the update included new sales on page 13 of Exhibit B. He said the Petitioner's appraiser dismissed the sales comparison approach even though experience had shown RV parks sold based on its per slot price, quality and appeal.

Appraiser Oliphint said the subject's data indicated the net operating income (NOI) went from \$49,000 per year to approximately \$142,000 per year from 2005 to 2007 in spite of adding a management person at \$36,000 per year. He noted the NOI was up \$100,000 going into 2007. He said there was no doubt things were bad, but capitalizing the current income when the price per slot was consistent was an inappropriate approach to value. He indicated the other problem with the income approach was the Petitioner's appraiser had not addressed stabilization costs. He said the sales prices and the NOI's of the comparables in the updated appraisal were much the same as those used in the first appraisal. He believed it did not make sense that the slot price was still \$21,000 to \$25,000, nor did saying the new comparables were worse than the older comparables. He indicated the appellant wanted to come up with a value that was 17 percent lower, while basing the value on NOI. He said the projected \$58,000 NOI was revised to \$46,000 and the value was reduced to \$3,370,000 based on the change of NOI. He said the Petitioner's appraiser admitted the property stabilized would be \$7 million, but he did not do the second step of a stabilized income analysis. He said most buyers would walk the property and decide if \$20,000 per slot was a good price, so changing it from a sales comparison approach to just an income approach did not make any sense.

Member Krolick stated the appellant's numbers looked like the residential 2 percent per month was used for the drop in value, and he asked if that was a reasonable explanation. Appraiser Oliphint said the appellant's updated comparable sales were essentially no different from the original comparable sales except for being newer.

Member Krolick asked what the comparables were like. Appraiser Oliphint believed the data indicated the Fallon park was not a stellar facility, but the Assessor's Office did not have time to research the Petitioner's comparables. He said the problem with the Petitioner's value being under \$17,000 per slot was there were no per slot comparables to support that value in the updated appraisal.

Member Brown asked if the data reflected that the subject was seasonal, with a spike in occupancy occurring during the summer. Appraiser Oliphint believed that would be looked at when someone was thinking of buying an RV park in addition to the buyer being aware its occupancy was down due to the economy.

In rebuttal, Mr. Walsh stated he would be happy if the Assessor's projections came through, but the \$20,000 per slot price was just not there. He felt someone having to hold onto the property for a number of years before there would be a return on the investment would drive the cap rate a lot higher than the 10 percent used. He acknowledged the business was seasonal and the bulk of its money would be made during the summer months, but the \$45,000 net operating income reflected the income for the whole year. He said there was a suggestion that the numbers were being padded by retaining management, but \$36,000 to manage a 200-space park with recreational facilities sounded cheap. He said the park was a first class facility, but economically it was not working.

Mr. Walsh said regarding the concept that somehow the appellant was ignoring the comparable sales, it was clear there were no comparable sales in this area. He said contrary to the appraiser's assertion, comparable sales were not primarily relied on for this valuation. He said the old valuation was a cost approach valuation of \$4,072,000, which was rounded up to \$4,080,000. He stated the comparable sales were used to help generate a cap rate to make an economic obsolescence determination. He said the improvement value should be \$656,800.

Member Krolick asked the Petitioner's appraiser to address the issues raised by the Assessor's Office regarding the comparables and how the appraisal was reevaluated.

Paul Alves, the Petitioner's appraiser, was sworn in by Ms. Parent.

Mr. Alves stated the first appraisal was done using income projections, while the second appraisal used the actual year-end figures through December 31, 2009. He said those figures were used in conjunction with what was happening in the market to come up with a new market value. He stated real estate values and income for income properties had continued to drop since April 2009, which currently appeared to be

happening at an even more rapid rate. He said regarding the discussion on comparable sales, he did not know who would buy an RV park at \$20,000 per space because there had been no sales for the last three years of RV parks in the Reno/Sparks area. Chairperson Covert asked how many RV parks were in the area. Mr. Alves speculated the number was 60 or 70. He noted he extracted the capitalization rates from the market and looked at the actual income statements, because he liked the information to be real. He stated he only used income projections when forced to do so. He indicated the comparable sales were used to arrive at a cap rate that could be applied to the subject property as if it was fully stabilized at 50 percent occupancy. He said once the cap rate was determined, he could arrive at a value by extracting the market-derived economic obsolescence.

Chairperson Covert said he favored applying an additional \$200,000 to \$300,000 in obsolescence to the Assessor's recommendation. Appraiser Dillon said the corrected amount of recommended obsolescence was \$1,715,310.

With regard to Parcel No. 037-020-67, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$1,166,800 due to \$1,915,310 in economic obsolescence, resulting in a total taxable value of \$3,880,000 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

DISCUSSION FOR HEARING NO'S 10-0111, THROUGH 10-0114

On behalf of the Petitioner, Vernon Waligora was sworn in by Chief Deputy Clerk Nancy Parent. He indicated he had the same argument for all four parcels.

On behalf of the Assessor and having been previously sworn, Gary Warren, Senior Appraiser, oriented the Board as to the location of the subject properties and noted there were no improvements on the properties.

Mr. Waligora read Exhibit A aloud.

Chairperson Covert advised the Board only dealt with the taxable value of property.

Appraiser Warren indicated these were challenging properties to assess. He said the two dated sales at the Mustang Interchange were included, as shown on page 1 of Exhibit I, because they were in Washoe County and LS-2 had freeway visibility. He stated the location seemed to be a good location to put in a KOA campground, which Mr. Waligora indicated was the plan. He advised all of the parcels were zoned General Commercial, but there were no General Commercial sales. He said he tried to find sales that would bracket the subject parcels as far as value and location, which was the reason

he used the Tahoe Regional Industrial Center and was why he used the sale in Fernley. He advised all of the comparable sales had superior infrastructure to the subject.

Appraiser Warren said the subject parcels were all valued at \$.85 per square foot. He stated there was not a whole lot of developable land in the Truckee River Canyon corridor because of the mountains on either side. He noted LS-4 was used as a commercial property, which Storey County's industrial zoning allowed. He said he attempted to bracket the subject parcels with the comparables' sales prices, but he was not able to do that because the subject parcels were half of the lowest price sale included in the analysis. He advised the subject properties' values were basically unchanged from last year's 15 percent reduction because the sales did not indicate the Assessor's taxable values exceeded the sale prices.

Chairperson Covert asked what the comparables' improvements were. Appraiser Warren said they all had infrastructure such as utilities and water lines, the Mustang area had a general improvement district, which serviced those parcels, and the Fernley parcel had access to utilities even though it was not fully developed.

Chairperson Covert asked if the Petitioner would have to acquire water rights to obtain water for the subject parcels. Appraiser Warren stated the subject properties would require well/septic systems. Chairperson Covert said ground water rights would be required to drill a well. Member Woodland asked what the \$3,007 improvement was on APN 084-292-13. Appraiser Warren replied it was a well. Chairperson Covert said the well was not a legal well because the Petitioner did not have the water rights that would allow pumping the water. Mr. Walgoria said he had beneficial-use water rights for six or seven years in the beginning, but to keep those rights a development plan had to be submitted. He noted someone told him it would cost \$350,000 to obtain the water rights. Member Krolick said there were water rights for sale on a parcel not far from the subject parcels, and the owner could not even get \$8,000 per acre foot for the water rights.

Member Woodland commented there was no deduction for the shape of the parcels. Appraiser Warren replied the shape was unusual, but so was the shape of LS-1. He explained the water rights required for General Commercial zoning would be determined by the property's intended use.

Member Brown said the Petitioner was asking for a 5 percent reduction. Chairperson Covert stated he could support that amount being applied to the land.

Mr. Waligoria indicated he had nothing to add.

See 10-859E through 10-0862E below for details concerning the petition, exhibits and decisions related to each of the properties in the consolidated group.

10-0859E **PARCEL NO. 084-292-13 – WALIGORA TRUST –
HEARING NO. 10-0111**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 34200 Cantlon Drive, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Prepared statement, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0111 THROUGH 10-0114 above.

With regard to Parcel No. 084-292-13, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$394,440 due to a 5 percent reduction in the amount of \$20,760 and the taxable improvement value be upheld, resulting in a total taxable value of \$397,537 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0860E **PARCEL NO. 084-292-14 – WALIGORA TRUST, VERNON S &
FRANCES V – HEARING NO. 10-0112**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 34100 East Interstate 80, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Prepared statement, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0111 THROUGH 10-0114 above.

With regard to Parcel No. 084-292-14, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$9,255 to \$175,845, resulting in a total taxable value of \$175,845 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0861E PARCEL NO. 084-292-15 – WALIGORA TRUST –
HEARING NO. 10-0113**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 34000 East Interstate 80, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Prepared statement, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0111 THROUGH 10-0114 above.

With regard to Parcel No. 084-292-15, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$11,570 to \$219,830, resulting in a total taxable value of \$219,830 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0862E PARCEL NO. 084-292-16 – WALIGORA TRUST –
HEARING NO. 10-0114**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 33900 East Interstate 80, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Prepared statement, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0111 THROUGH 10-0114 above.

With regard to Parcel No. 084-292-16, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced by \$12,200 to \$231,800, resulting in a total taxable value of \$231,800 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E
THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O
THROUGH 10-0327Y**

On behalf of the Petitioner, Matt Kiley and Rich Hamilton were sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Churchfield, Appraiser, oriented the Board as to the location of the subject properties.

Mr. Kiley said he and the Assessor reached an agreement on a number of parcels last week that had a total value of approximately \$4.9 million, and the Assessor's recommendation would reduce the overall value of the remaining land to \$22 million. He stated he needed to put on the record that he did not see how the remaining land could be worth that much because that value would cause him problems with the properties' financing arrangements. He said using comparable sales would be the only way to produce that value, but all of the comparable sales were trailing values. He reviewed the spreadsheet shown on page 1 of Exhibit A, which provided the Assessor's values and the appellant's estimated values, and the map on page 2 of Exhibit A.

Mr. Kiley stated the Petitioner's commercial land was next door to land that was approved to have the Lazy 8 Casino as an anchor to the project. He said that land was in escrow in December 2009 at \$1.09 per square foot. He advised the Petitioner's commercial property was right down the street from that property and had roughly the same traffic counts, but no anchor. He felt the two properties were comparable even though there might be some infrastructure differences. He indicated another comparable would be the land at the intersection of Mt. Rose Highway and Highway 395, which he believed was entitled for a casino and was at \$2 per square foot.

Mr. Kiley advised he had an August 2009 e-mail from the broker for Target offering \$0 per square foot, with some reimbursement for infrastructure, for a store that would open in 2014 or 2016. He said he had tried engaging multiple retailers over the last few years, but the Legends Star Bond project had siphoned off the retailers that could have come out to the subject's area. He noted the Sparks Galleria had lost a lot of tenants and AIG Baker down the street had a high vacancy rate. He stated his brokers were indicating there might be some retail activity four to five years from now, but the other area vacancies would be filled first. He said the bottom line was they missed the market for commercial real estate.

Mr. Kiley said regarding the business park parcels, DBJ Holdings was next door to the subject, was comparable to the subject, and had their value lowered to \$23,200 an acre according to a newspaper article he read.

Mr. Kiley stated the comparables for the residential properties included the sale of a 21-acre parcel at \$19,041 per acre to someone planning to build homes within the Kiley Ranch project. He said that sale included Regional Transportation Commission (RTC), storm drains, and park credits for 200 homes. He advised he was one of the principals involved in the deal and could verify the sale was an arms-length transaction. He stated the Stone Brook project had improvements and was under contract in December 2009 at \$23,007 per acre.

Mr. Kiley said the appellant's residential land would require three to six feet of fill dirt at a cost of \$2.50 per foot before it could be used. He stated that cost would cause the land to have a negative value if residential parcels were sold for \$23,000 and would mean developing the property would not be feasible. He indicated the land's value should be \$10,000 per acre until the land was improved.

Mr. Kiley stated the school site was for a grammar school and there was a stipulation the Washoe County School District had five years to buy the land before it reverted back to residential. He felt the problem was the land was tied up for five years and the appellant had to pay taxes when there was no guarantee the land would ever be purchased. He stated that land was worthless until the end of the five years, but he suspected it would turn into residential land at that point. He noted the park sites could be for parks, fire or police stations, or a community center, but there was currently no designated use.

Mr. Kiley said he had nothing to say about the Assessor's comparables because he had just received them.

Appraiser Churchfield stated he worked with the appellant's representatives to come up with the recommendations, which the appellant then felt were high. He believed his recommendations as shown on page 44 of Exhibit I were reasonable based on the equalization of similarly situated properties. He stated the Lennar residential parcel was valued at \$25,000 per acre and, after a deduction for a ditch, the

value was \$23,000. He said for residential use, the recommendations valued the parcels at \$25,000 per acre and some of the graded parcels were valued a little higher. He reviewed the comparable sales as shown on page 40 of Exhibit I that supported the residential values.

Appraiser Churchfield said regarding the commercial parcels, page 40 showed a sale of a school site (sale #4) out in Red Hawk at \$36,851 per acre and \$35,000 was the recommendation for the Kiley school site. He noted the Washoe County School District was still actively seeking land. He indicated the commercial parcels were graded and had frontage on Pyramid Highway. He noted there was a sale at \$644 per square foot. He stated the recommendation on the larger parcels were for values of \$3 to \$3.50 per square foot. He noted the appellant brought up a sale at \$1.09, but that sale never closed; and the Callamout sale needed a lot of work and had water issues. He felt that sale was not as comparable as the Dilreto and Lewis sales at \$25,000 per acre. Chairperson Covert noted the recommended decrease was 40 percent overall. Appraiser Churchfield said the recommendations gave concessions to some of the parcels for access, topography and some of the fill issues. He stated he was trying to be as fair as he could with the values based on the sales and the timeframes.

In rebuttal, Mr. Kiley stated he appreciated where Appraiser Churchfield was coming from, but he felt he was more familiar with the details of what was going on in the area. He said the commercial site that sold in July 2009 cost Kiley Ranch roughly \$400,000. He said \$1.2 million in infrastructure was installed for an \$800,000 sale, which was done to seed the business park and for marketing reasons. He stated the buyer wanted to remain in Sparks and had a very tight time constraint that Kiley Ranch could meet. He said the price was agreed upon in the fall of 2008 and culminated in the summer of 2009. He advised there had been no offers on any other land even though they were working with their brokers. He stated the property was not listed due to the financing arrangements.

Mr. Kiley said the sale on Los Altos Parkway was a 32,500 square foot lot, which he sold to himself to inject capital into Kiley Ranch Communities after marketing the land for over a year without any success. He said the land was on a corner that had a signal, it had water and landscaping installed, and it had a structural pad.

Mr. Hamilton stated the reason they were present was they just found out about the Assessor's estimation of value. Mr. Kiley said he had offers of between \$6 and \$10 million for the entire project, which was where they were coming from on the value.

Mr. Kiley said he understood the Assessor had to use certain methods to value property, and the recommended reductions were extremely generous. He stated if the land were sold in bulk, it would go for \$6-\$10 million and adding 30 percent would indicate the retail value.

Chairperson Covert asked if the Petitioner was recommending a value of

\$9.144 million for all of the parcels. Mr. Hamilton replied that was correct. Mr. Kiley stated the ball was dropped last year because the values were not protested.

Appraiser Churchfield clarified the Assessor's Office could not look at the parcels in bulk because they were individual parcels. Mr. Kiley said he understood the methods the Assessor's Office had to use, but the appellant's side of the story had to be explained.

Member Krolick said the Petitioner was correct that there was currently no shortage of available land. Chairperson Covert asked if Member Krolick would recommend reducing the Assessor's recommended values. Member Krolick said he was not sure how to get the values where they needed to be, but it appeared each parcel needed to be weighed on its own merit. Appraiser Churchfield said each parcel had a reduction based on use and grading and the recommendations were broken out per parcel on page 44 of Exhibit I.

Member Woodland asked what the improvements were for APN 083-830-04. Mr. Kiley replied it was a house that was not being used as a house any more because it had no water or sewer. Member Woodland felt the home had no value.

Member Krolick felt based on what the Board had to work with, it seemed the Assessor's recommendation was the way to go and the Petitioner's evidence would be more applicable next year.

See 10-0863E THROUGH 10-0879E below for details concerning the petition, exhibits and decisions related to each of the properties in the consolidated group.

10-0863E PARCEL NO. 083-023-18 – KILEY RANCH LLC –
HEARING NO. 10-0327A

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-023-18, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$301,816, resulting in a total taxable value of \$301,816 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0864E PARCEL NO. 083-024-01 – KILEY RANCH LLC –
HEARING NO. 10-0327E

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-024-01, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$4,312,363, resulting in a total taxable value of \$4,312,363 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0865E PARCEL NO. 083-024-02 – KILEY RANCH LLC –
HEARING NO. 10-0327F

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-024-02, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$3,401,916, resulting in a total taxable value of \$3,401,916 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0866E PARCEL NO. 083-024-03 – KILEY RANCH LLC –
HEARING NO. 10-0327G

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-024-03, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$3,092,542, resulting in a total taxable value of \$3,092,542 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0867E PARCEL NO. 083-024-15 – KILEY RANCH LLC –
HEARING NO. 10-0327J

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-024-15, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$1,485,060, resulting in a total taxable value of \$1,485,060 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0868E **PARCEL NO. 083-024-16 – KILEY RANCH LLC –**
HEARING NO. 10-0327K

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-024-16, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$1,859,625 and the taxable improvement value be upheld, resulting in a total taxable value of \$1,896,065 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0869E **PARCEL NO. 083-830-04 – KILEY RANCH LLC –**
HEARING NO. 10-0327O

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 7000 Sparks Blvd, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

Mike Churchfield, Appraiser said the recommendation on page 44 of Exhibit I was in error. The recommendation was to uphold the Assessor's values on the subject property.

With regard to Parcel No. 083-830-04, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0870E PARCEL NO. 083-830-45 – KILEY RANCH LLC ETAL – HEARING NO. 10-0327P

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Sparks Blvd, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-45, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$1,901,032, resulting in a total taxable value of \$1,901,032 for tax year 2010/11. With that adjustment, it was found

that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0871E PARCEL NO. 083-830-56 – KILEY RANCH LLC ETAL –
HEARING NO. 10-0327Q**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Sparks Blvd, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-56, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$1,993,245, resulting in a total taxable value of \$1,993,245 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0872E PARCEL NO. 083-830-59 – KILEY RANCH LLC –
HEARING NO. 10-0327R**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Sparks Blvd, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-59, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$263,680, resulting in a total taxable value of \$263,680 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0873E PARCEL NO. 083-830-67 – KILEY RANCH LLC –
HEARING NO. 10-0327S**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1000 Kiley Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-67, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Krolick, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$421,015 and the taxable improvement value be upheld, resulting in a total taxable value of \$872,338 for

tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0874E PARCEL NO. 083-830-69 – KILEY RANCH LLC –
HEARING NO. 10-0327T**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-69, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$209,000 and the taxable improvement value be upheld, resulting in a total taxable value of \$293,285 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0875E PARCEL NO. 083-830-70 – KILEY RANCH LLC –
HEARING NO. 10-0327U**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Vista Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-70, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$64,840, resulting in a total taxable value of \$64,840 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0876E PARCEL NO. 083-830-73 – KILEY RANCH LLC –
HEARING NO. 10-0327V

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Pyramid Way, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 083-830-73, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$1,456,725 and the taxable improvement value be upheld, resulting in a total taxable value of \$1,553,248 for

tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0877E PARCEL NO. 510-071-19 – KILEY RANCH LLC –
HEARING NO. 10-0327W**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Vista Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 510-071-19, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$284,200, resulting in a total taxable value of \$284,200 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0878E PARCEL NO. 510-071-20 – KILEY RANCH LLC –
HEARING NO. 10-0327X**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Vista Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 510-071-20, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$592,950, resulting in a total taxable value of \$592,950 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0879E PARCEL NO. 510-071-29 – KILEY RANCH LLC –
HEARING NO. 10-0327Y

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Vista Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Evidence packet, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 46 pages.

Exhibit II: Maps, 2 pages.

Exhibit III: Listings, 2 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0327A, 10-0327E THROUGH 10-0327G, 10-0327J, 10-0327K, AND 10-0327O THROUGH 10-0327Y above.

With regard to Parcel No. 510-071-29, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$499,275, resulting in a total taxable value of \$499,275 for tax year 2010/11. With that adjustment, it was found

that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0880E PARCEL NO. 044-384-10 – CADJEW REVOCABLE TRUST,
FRANK & JULIE – HEARING NO. 10-0601**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 9825 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and photographs, 4 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 27 pages.

On behalf of the Petitioner, Julie Cadjew and Clara Maraquez were sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property.

Ms. Cadjew advised the property was 10 plus acres and contained a bar, GEICO insurance, a retail store, automobile stores, a residence in the back of the property, and a big old barn. She noted the entire property was zoned commercial, but the southern most and the western parts of the property were used for personal and not commercial purposes. She stated the Assessor's Office gave a 20 percent reduction for the property's shape and another 20 percent for the property's use. She requested the 20 percent for use be increased as much as possible because so much of the property was not being used for commercial purposes. She noted a lot of the tenants were having a hard time and considerable rent concessions had been given over the last six months. She said the almost \$30,000 in taxes being paid each year was considerable, and she was asking for some kind of relief.

Chairperson Covert noted the Assessor was reducing the base value by 40 percent.

Appraiser Bozman said the subject property was 10.63 acres and had a mix of uses. He stated comparable sales were not used for this property because he could not find anything comparable. He said the Petitioner was not contesting the improvement value, so he did a land comparison. He advised the subject's value was in the land and its Virginia Street frontage. He said the subject's land value was \$3.72 per square foot with a value of \$72,000 per acre for the two acres of residential use. Chairperson Covert noted it

was not zoned for residential use. Appraiser Bozman said there was a single-family residence on the property and the value was based on how the property was used. Josh Wilson, Assessor, stated pursuant to NRS 361.227 the property was valued by use. Chairperson Covert asked if the house was being lived in and if it was rented. Ms. Cadjew indicated the house was occupied by the owners. Appraiser Bozman indicated there was a 40 percent reduction for shape and use because the retail use was not intense, which brought the value down to \$4.20 per square foot for the property's commercial portion.

Appraiser Bozman reviewed the sales and listings on page 1 of Exhibit I that supported the subject's value. He noted when the Petitioner filed the petition, she was given some misinformation on the values, but the whole of the land was valued at \$1,723,300 and the commercial portion at \$4.20 per square foot. Chairperson Covert noted the land sales were old except for one. Appraiser Bozman explained that was why there was a 30 percent reduction in the base value. He said the commercial and residential portions were calculated separately, but the whole property computed to \$3.72 per square foot.

In rebuttal, Ms. Cadjew felt more than two acres was being used as residential because there were horses and a barn. Chairperson Covert asked if the residential portion included the stables, etc. Appraiser Bozman said an acre of land was allocated to each of the single-family residences and would include the area for the horses.

Member Woodland asked if the Petitioner had an office on the property. Ms. Cadjew there was an office. She felt the appraiser believed there were two acres fenced around the residence, but the stables, riding area and the barn were clear across the property. She said the residence was on the northernmost side and the stables were on the southernmost side and encompassed an additional two acres. She said the horses were for personal use.

With regard to Parcel No. 044-384-10, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Krolick, seconded by Member Woodland, which motion duly carried with Member Green absent and Member Brown voting "no," it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0881E PARCEL NO. 002-062-20 – MURPHY, JAMES E & JUDITH G –
HEARING NO. 10-0088

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 504 Putnam Drive, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter, 1 page

Exhibit B: Petitioner's statement, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 8 pages.

On behalf of the Petitioner, James Murphy was sworn in by Chief Deputy Clerk Nancy Parent.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property.

Mr. Murphy reviewed his statement regarding his house and his neighbor's house, Exhibit B. Chairperson Covert asked if the subject's basement was finished. Mr. Murphy replied it was. He noted his appraisal went up 10 percent in the last three years, while the value of his property had gone down. He requested a 10 percent reduction. Chairperson Covert asked if the Petitioner felt his market value was less than \$504,000. Mr. Murphy said that was difficult to say, but he might be able to sell the property for that. He felt the property was worth less than what it was worth in 2004. Chairperson Covert said the Board's charge was to make sure the taxable value did not exceed the market value of the property.

Appraiser Bozman said the subject's \$103 per square foot taxable value was calculated with a finished basement. He reviewed the comparable sales as shown on page 1 of Exhibit I. He noted the appellant's comparable at 575 Putnam Drive was two stories with a quality class of 5 and was valued at \$149 per square foot. He noted a finished basement was all part of the living space and the subject property was almost 4,900 square feet.

In rebuttal, Mr. Murphy stated he was told the basement would be appraised at 50 percent of the upstairs level whether or not it was finished. Chairperson Covert asked if it was unfinished, would it be appraised lower than if it was finished. Appraiser Bozman replied that was correct. He said the \$103 per square foot value was calculated by dividing the total taxable value by the total square footage because it was all livable space. Josh Wilson, Assessor, explained the sub area detail under BMT1 on page 3 of Exhibit I, residential card, showed the unfinished portion of the basement. Chairperson Covert said the taxable value was a blended rate.

With regard to Parcel No. 002-062-20, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It

was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

6:25 p.m. The Board recessed.

6:35 p.m. The Board reconvened with Member Green absent.

10-0882E **PARCEL NO. 042-080-15 – ALI SAFFARI –**
HEARING NO. 10-0066

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 2458 Lake Ridge Shores East, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Senior Appraiser, oriented the Board as to the location of the subject property. He said the Petitioner was in agreement with the Assessor's recommendation as shown on page 2 of Exhibit I.

With regard to Parcel No. 042-080-15, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$1,155,375 due to \$861,021 in obsolescence, resulting in a total taxable value of \$1,461,375 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0883E **PARCEL NO. 042-080-15 – ALI SAFFARI –**
HEARING NO. 10-0066R09

A Petition for Review of Assessed Valuation was received protesting the 2009/10 taxable valuation on land and improvements located at 2458 Lake Ridge Shores East, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 13 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Sr. Appraiser, oriented the Board as to the location of the subject property. He said the Petitioner was in agreement with the Assessor's recommendation as shown on page 2 of Exhibit I.

With regard to Parcel No. 042-080-15, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$1,283,750 due to the application of obsolescence, resulting in a total taxable value of \$1,623,750 for tax year 2009/10. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

DISCUSSION – HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Senior Appraiser, oriented the Board as to the location of the subject properties. He advised all of the parcels were vacant except for APN 143-040-18, which had improvements. He advised the Petitioner was in agreement with the Assessor's recommendations on page 2 of Exhibit I for each parcel. He said the Petitioner provided a map indicating there were some portions of the parcels that were unusable and adjustments were made based on that information and on the comparable sales.

See 10-0884E through 10-0889E below for details concerning the petition, exhibits and decisions related to each of the properties in the consolidated group.

10-0884E **PARCEL NO. 141-010-01 – PIONEER PARKWAY HOLDING CO
LLC – HEARING NO. 10-0139**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Steamboat Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 8 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209 above.

With regard to Parcel No. 141-010-01, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$982,500, resulting in a total taxable value of \$982,500 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

10-0885E **PARCEL NO. 016-411-20 – PIONEER PARKWAY HOLDING CO
LLC – HEARING NO. 10-0198**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 14450 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 12 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209 above.

With regard to Parcel No. 016-411-20, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$2,546,462, resulting in a total taxable value of \$2,546,462 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0886E PARCEL NO. 143-040-09 – PIONEER PARKWAY HOLDING CO
LLC – HEARING NO. 10-0206**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Veterans Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 12 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209 above.

With regard to Parcel No. 143-040-09, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$216,615, resulting in a total taxable value of \$216,615 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0887E PARCEL NO. 143-040-10 – PIONEER PARKWAY HOLDING CO
LLC – HEARING NO. 10-0207**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Veterans Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 12 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209 above.

With regard to Parcel No. 143-040-10, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$391,792, resulting in a total taxable value of \$391,792 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0888E PARCEL NO. 143-040-12 – PIONEER PARKWAY HOLDING CO
LLC – HEARING NO. 10-0208**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at Veterans Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 12 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209 above.

With regard to Parcel No. 143-040-12, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$426,960, resulting in a total taxable value of \$426,960 for tax year 2010/11. With that adjustment, it was found that the land is valued correctly and the total taxable value does not exceed full cash value.

**10-0889E PARCEL NO. 143-040-18 – PIONEER PARKWAY HOLDING CO
LLC – HEARING NO. 10-0209**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at State Route 341, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 14 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

For the discussion that took place for this hearing, see DISCUSSION FOR HEARING NO'S 10-0139, 10-0198, AND 10-0206 THROUGH 10-0209 above.

With regard to Parcel No. 143-040-18, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$2,263,115 and the taxable improvement value be upheld, resulting in a total taxable value of \$2,296,174 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0890E PARCEL NO. 013-331-23 – VASSAR SELF STORAGE – HEARING
NO. 10-0164**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 2456 Vassar Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Private appraisal report, 69 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 18 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property. He said the Petitioner's appraisal dated November 16, 2009 valued the property at \$4 million, while the Assessor's value was \$2.2 million. He said he had a conversation with the appellant earlier today and the appellant left, but decided not to withdraw. He stated the appellant's argument was that business, rates and collections were down.

With regard to Parcel No. 013-331-23, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0891E PARCEL NO. 160-084-01 – STOR-TYME SELF STORAGE –
HEARING NO. 10-0165

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 10650 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: An appraisal in a summary report, 81 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 16 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property. He said the Petitioner's appraisal dated November 17, 2009 valued the property at \$5 million, while the Assessor had a value of \$4,599,624. He noted the appellant left, but did not want to withdraw the petition.

With regard to Parcel No. 160-084-01, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

**10-0892E PARCEL NO. 164-370-07 – ONYX DEVELOPMENT COMPANY
LLC – HEARING NO. 10-0300**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 888 Maestro Drive, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Commercial Income/Expense Analysis, 3 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 53 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property. He said the appellant was in agreement with the Assessor's recommendation as shown on page 4 of Exhibit I. He stated the recommendation was based on the income information supplied by the appellant, the 34 percent vacancy rate, which was higher than normal, and the 49 percent in operating expenses.

With regard to Parcel No. 164-370-07, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$2,103,500 due to obsolescence, resulting in a total taxable value of \$3,900,000 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0893E PARCEL NO. 042-030-03 – EASTSIDE INVESTMENT CO –
HEARING NO. 10-0526**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 6000 Plumas Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 18 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property. He said the recommendation shown on page 2 of Exhibit I was based on the income information supplied by the Petitioner.

With regard to Parcel No. 042-030-03, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$4,267,138 due to \$1,199,127 in obsolescence, resulting in a total taxable value of \$6,737,038 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0894E PARCEL NO. 130-050-11 – K & S INVESTMENTS INC –
HEARING NO. 10-0536

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1008 Tahoe Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 11 pages.

On behalf of the Petitioner, no one was present.

Member Krolick recused himself because he was a tenant in this building.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Senior Appraiser, oriented the Board as to the location of the subject property. He said the Assessor's recommendation on page 1 of Exhibit I was provided to the appellant, but the Assessor's Office never heard back as to whether or not the appellant agreed with the recommendation. He noted an income approach was also done on the property, but

the actual income information was not provided by the appellant. Member Krolick confirmed there were two vacant units in the building.

With regard to Parcel No. 130-050-11, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent and Member Krolick abstaining, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$812,318 due to \$259,224 in obsolescence, resulting in a total taxable value of \$1,101,318 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0895E PARCEL NO. 130-050-11 – K & S INVESTMENTS INC –
HEARING NO. 10-0536R09**

A Petition for Review of Assessed Valuation was received protesting the 2009/10 taxable valuation on land and improvements located at 1008 Tahoe Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 11 pages.

On behalf of the Petitioner, no one was present.

Member Krolick recused himself because he was a tenant in this building.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Senior Appraiser, oriented the Board as to the location of the subject property. He reviewed the Assessor's recommendation as shown on page 1 of Exhibit I.

With regard to Parcel No. 130-050-11, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent and Member Krolick abstaining, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$823,894, resulting in a total taxable value of \$1,133,124 for tax year 2009/10. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0896E PARCEL NO. 160-084-03 – U-HAUL REAL ESTATE COMPANY –
HEARING NO. 10-0553A**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 10405 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Facility Utilization Summary, 3 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property. He said he had been unable to contact the Petitioner regarding the appeal.

Appraiser Bozman reviewed the comparable sales as shown on page 1 and the income approach as shown on page 2 of Exhibit I. He said the recommendation was to uphold the Assessor's value based on the analyses.

With regard to Parcel No. 160-084-03, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

**10-0897E PARCEL NO. 160-084-04 – U-HAUL REAL ESTATE COMPANY –
HEARING NO. 10-0553B**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Facility Utilization Summary, 3 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property.

Appraiser Bozman reviewed the comparable sales as shown on page 1 of Exhibit I. He said the recommendation was to uphold the Assessor's value based on the analysis.

With regard to Parcel No. 160-084-04, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the Assessor's taxable values be upheld for tax year 2010/11. It was found that the Petitioner failed to meet his/her burden to show that the land and improvements are valued higher than another property whose use is identical and whose location is comparable.

10-0898E PARCEL NO. 150-012-07 – GALENA CARWASH LLC –
HEARING NO. 10-0562E

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 19996 Thomas Creek Road, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Senior Appraiser, oriented the Board as to the location of the subject property. He stated the appellant was in agreement with the Assessor's recommendation as shown on page 1 of Exhibit I.

With regard to Parcel No. 150-012-07, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member

Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$645,637 due to \$101,042 in obsolescence, resulting in a total taxable value of \$867,737 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0899E PARCEL NO. 132-231-06 – MOUNT ROSE PUBLISHING
COMPANY – HEARING NO. 10-0575**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 925 Tahoe Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

None.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Senior Appraiser, oriented the Board as to the location of the subject property. He stated the appellant was in agreement with the Assessor's recommendation as shown on page 1 of Exhibit I.

With regard to Parcel No. 132-231-06, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Woodland, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$723,213 due to \$688,222 in economic obsolescence, resulting in a total taxable value of \$1,483,513 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

**10-0900E PARCEL NO. 124-043-30 – SCHWARTZ LIVING TRUST –
HEARING NO. 10-0804**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 770 Northwood Boulevard, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter, 2 pages.

Exhibit B: Letter and supporting documentation, 14 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 15 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Rigoberto Lopez, Sr. Appraiser, oriented the Board as to the location of the subject property. He stated the appellant was in agreement with the Assessor's recommendation as shown on page 2 of Exhibit I.

With regard to Parcel No. 124-043-30, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$237,205 due to \$136,224 in obsolescence, resulting in a total taxable value of \$383,005 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0901E PARCEL NO. 015-220-30 – US BANK –
HEARING NO. 10-0904

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 2330 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Letter and supporting documentation, 126 pages.

Exhibit B: Press release, 5 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 19 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, John Thompson, Appraiser, oriented the Board as to the location of the subject property.

Appraiser Thompson stated it appeared the appellant filed the appeal before the January 20, 2010 sale. Herb Kaplan, Legal Counsel, indicated the appellant was required to own the property at the time the petition was filed, and the actual owner of the property did not appeal. He noted it was an invalid appeal and the Board did not have jurisdiction to hear it.

With regard to Parcel No. 015-220-30, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Chairperson Covert, seconded by Member Krolick, which motion duly carried with Member Green absent, it was ordered that County Board of Equalization did not have the jurisdiction to hear this appeal because the Petitioner was not the owner of record when filing the Petition.

**10-0902E PARCEL NO. 142-331-04 – US BANK NA –
HEARING NO. 10-0907**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 13949 South Virginia Street, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: E-mail accepting Assessor's recommendation, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, John Thompson, Appraiser, oriented the Board as to the location of the subject property. He stated the appellant was in agreement with the Assessor's recommendation as shown on page 1 of Exhibit I.

With regard to Parcel No. 142-331-04, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be reduced to \$734,662 and the taxable improvement value be upheld, resulting in a total taxable value of \$1,427,346 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0903E **PARCEL NO. 140-213-34 – US BANK/TENANT OF LN DAMONTE RANCH TOWN CTR LLC – HEARING NO. 10-0908**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 1161 Steamboat Parkway, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: E-mail accepting Assessor's recommendation, 1 page.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, John Thompson, Appraiser, oriented the Board as to the location of the subject property. He stated the appellant was in agreement with the Assessor's recommendation as shown on page 1 of Exhibit I.

With regard to Parcel No. 140-213-34, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Brown, seconded by Member Krolick, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$503,324 due to \$78,270 in obsolescence, resulting in a total taxable value of \$828,824 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

10-0904E **PARCEL NO. 528-010-38 – MOUNTAIN VIEW SENIOR HOUSING – HEARING NO. 10-0917**

A Petition for Review of Assessed Valuation was received protesting the 2010/11 taxable valuation on land and improvements located at 2360 Wingfield Hills Road, Washoe County, Nevada.

The following exhibits were submitted into evidence:

Petitioner

Exhibit A: Financial documents, 6 pages.

Assessor

Exhibit I: Assessor's Hearing Evidence Packet including comparable sales, maps and subjects appraisal records, 10 pages.

On behalf of the Petitioner, no one was present.

On behalf of the Assessor and having been previously sworn, Michael Bozman, Appraiser, oriented the Board as to the location of the subject property. He stated he assumed the appellant was in agreement with the Assessor's recommendation as shown on page 1 of Exhibit I because they were not present. He noted the property was re-inspected due to the submission of the actual cost figures, which resulted in the quality class being lowered to a 2.5.

With regard to Parcel No. 528-010-38, pursuant to NRS 361.356, based on the evidence presented by the Assessor's Office and the Petitioner, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, it was ordered that the taxable land value be upheld and the taxable improvement value be reduced to \$25,473,748 due to a reduction in Quality Class from 3.0 to 2.5, resulting in a total taxable value of \$28,303,248 for tax year 2010/11. With that adjustment, it was found that the land and improvements are valued correctly and the total taxable value does not exceed full cash value.

BOARD MEMBER COMMENTS

There were no Board Member comments.

PUBLIC COMMENT

There was no public comment.

* * * * *

7:29 p.m. There being no further hearings or business to come before the Board, on motion by Member Woodland, seconded by Member Brown, which motion duly carried with Member Green absent, the meeting was adjourned.

JAMES COVERT, Chairperson
Washoe County Board of Equalization

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Washoe County
Board of Equalization

*Minutes prepared by
Jan Frazzetta, Deputy Clerk*