AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Abatement Hearing - Walmart R000037

Action Requested: Other Abatement Hearing - Walmart R000037

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

2017 & 2018 Petition for Abatement submitted by Walmart Real Estate Business Trust - R000037

Fiscal Impact:

Submitted by: Liz Mense for Bob Blackett **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok to schedule. db 2/27/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 2/27/2020 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 2/28/2020

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 10

Agenda Date: 3/17/2020

Revised April 2015

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: Gunnison

Date Received _____
(Use Assessor's or Commissioner's date stamp)

RECEIVED
DEC 26 2019
BY: E-mail

Section I: Petitioner, please complete Section I only.

Date: December 26, 2019
Month Day Year

Petitioner's Name: Walmart Inc / Sams Inc

Petitioner's Mailing Address: 702 SW 8th Street

Bentonville — City or Town
AR — State
72716 — Zip Code

SCHEDULE OR PARCEL NUMBER(S)
See Attached Exhibit A

PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
See Attached Exhibit A

R00003

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 2017 are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error, or overvaluation. Attach additional sheets if necessary.)

As the attached independent analysis confirms, the sale prices of mega-big box stores reflect steep declines off of cost due to a rapidly changing climate for "walk-in" customers in the age of on-line retailing. Petitioner believes that its market value for its stores in Colorado should reflect the sales prices it has obtained and others have as well in Colorado. See attached analysis at p. 29.

Petitioner's estimate of value: $ 1,700,000 (Value) (2017) (Year)

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information, and belief, is true, correct, and complete.

_____ **Petitioner's Signature** — Daytime Phone Number ( )

By /s/ Robert A. Hill **Agent's Signature*** — Daytime Phone Number (952) 426-7373

***Letter of agency must be attached when petition is submitted by an agent.**

If the Board of County Commissioners, pursuant to § 39-10-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-116, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-2-125, C.R.S., within thirty days of the entry of any such decision, § 39-10-114.5(1), C.R.S.

Section II:

Assessor's Recommendation
(For Assessor's Use Only)

Tax Year _____

	Actual	Assessed	Tax
Original			
Corrected			
Abate/Refund			

☐ **Assessor recommends approval as outlined above.**

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(I)(D), C.R.S.

Tax year: 2017 Protest? ☒ No ☐ Yes (If a protest was filed, please attach a copy of the NOD.)

☒ **Assessor recommends denial for the following reason(s):**
Valuation is supported by the consideration of the Cost, Market and Income approaches to value.

Assessor's or Deputy Assessor's Signature

15-DPT-AR No. 920-66/11

PETITION FOR ABATEMENT OR REFUND OF TAXES

County: Gunnison

Date Received _____
(Use Assessor's or Commissioners' Date Stamp)

RECEIVED
DEC 26 2019
BY: E-mail

Section I: Petitioner, please complete Section I only.

Date: December 26, 2019
Month Day Year

Petitioner's Name: Walmart Inc / Sams Inc

Petitioner's Mailing Address: 702 SW 8th Street

Bentonville — City or Town
AR — State
72716 — Zip Code

R0000037

SCHEDULE OR PARCEL NUMBER(S)
See Attached Exhibit A

PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
See Attached Exhibit A

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 2018 are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error, or overvaluation. Attach additional sheets if necessary.)

As the attached independent analysis confirms, the sale prices of mega-big box stores reflect steep declines off of cost due to a rapidly changing climate for "walk-in" customers in the age of on-line retailing. Petitioner believes that its market value for its stores in Colorado should reflect the sales prices it has obtained and others have as well in Colorado. See attached analysis at p. 29.

Petitioner's estimate of value: $ 1,700,000 (2018)
Value Year

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information, and belief, is true, correct, and complete.

_____ Daytime Phone Number (____) _____
Petitioner's Signature

By /s/ Robert A. Hill — Daytime Phone Number (952) 426-7373
Agent's Signature*

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(For Assessor's Use Only)

Tax Year _____

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Tax year: 2018 Protest? ☒ No ☐ Yes (If a protest was filed, please attach a copy of the NOD.)

☒ **Assessor recommends denial for the following reason(s):** Valuation is supported by the consideration of the Cost, Market and Income approaches to value.

Assessor's or Deputy Assessor's Signature

15-DPT-AR No. 920-66/11

2017 & 2018

Petition for Abatement

The Gunnison County Assessor's Office has been asked to communicate the assignment results for a single property that was appraised as part of our mass appraisal assignment.

The Uniform Standards of Professional Appraisal Practice (USPAP) defines mass appraisal as: the process of valuing a universe of properties as of a given date using standard methodology, employing common data, and allowing for statistical testing.

For the purposes of the mass appraisal, market value is defined as:

> "The most probable price, expressed in terms of money, that a property would bring if exposed for sale in the open market in an arm's-length transaction between a willing seller and a willing buyer, both of whom are knowledgeable concerning all the uses to which it is adapted and for which it is capable of being used." – Property Assessment Valuation, 1996, IAAO

Commercial property is valued by considering the cost, market and income approaches to value.

For the 2017 & 2018 property tax years, the effective **appraisal date is June 30, 2016**, as required by § 39-1-104(10.2)(a)(d), Colorado Revised Statutes.

The following page(s) characterize the petitioner's property and compare it to examples selected from the "**Commercial Sales**" list.

The single property being characterized for this abatement petition is identified as:

Property Owner:	**WALMART REAL ESTATE BUSINESS TRUST**
Account Number:	**R000037**
Parcel Number:	**3701-360-01-001**
Legal Description:	**LOT 1 MEADOWS SUBDIVISION**
Value:	**$2,697,030**

Commercial Sales Examples Inventory and Account Value Summary

2017 & 2018 ABATEMENT

Owner: WALMART REAL ESTATE BUSINESS TRUST
P.O. BOX 8050
BENTONVILLE, AR 72712

ACCOUNT #: R000037
PARCEL #: 3701-360-01-001
ECON AREA: 1

	SUBJECT	EXAMPLE 1	EXAMPLE 2	EXAMPLE 3
	R000037	R001617	R001521	R071227
PARCEL NUMBER:	3701-360-01-001	3701-363-16-002	3701-362-06-023	3787-021-30-006
PROPERTY ADDRESS:	900 N MAIN ST	400 E TOMICHI AVE	811 N MAIN ST	600 W US HWY 50
	GUNNISON	GUNNISON	GUNNISON	GUNNISON
LEGAL DESCRIPTION:	LOT 1 MEADOWS SUBDIVISION	LOTS 1-12 BLK 17 ORIGINAL GUNNISON	LOT D BLK 2, MOUNTAIN VIEW ADDN 1	LOTS 1-3 & 23-26 BLK 9 RIO GRANDE ADDN
ZONING:	CITY OF GUNNISON - COMMERCIAL	CITY OF GUNNISON - COMMERCIAL	CITY OF GUNNISON - COMMERCIAL	CITY OF GUNNISON - INDUSTRIAL
NET LAND AREA (SQ FT):	209,480	37,500	25,134	23,000
Commercial				
COMMERCIAL USE:	DISCOUNT RETAIL STORE	MOTEL	RETAIL & STORAGE	WAREHOUSE / OFFICE
COMMERCIAL SQ FT:	43,938	30,496	5,400	6,724
UNFINISHED SQ FT:	0	0	0	1,624
QUALITY CONSTRUCTION:	FAIR	AVERAGE	LOW	FAIR / FAIR
CONDITION:	AVERAGE	AVERAGE	AVERAGE	AVERAGE / AVERAGE
ADJUSTED YEAR BUILT:	1985	1979	1993	1975 / 2007
2019 VALUE:	**$2,697,030**			
SALE DATE:		5/1/2015	9/4/2015	5/15/2013
TIME ADJUSTED SALES PRICE:		**$2,225,000**	**$800,000**	**$396,635**
TOTAL FINISHED SQ FT:	43,938	30,496	5,400	6,724
$ PER FINISHED SQ FT:	**$61.38**	**$72.96**	**$148.15**	**$58.99**

INCOME APPROACH:

IMPROVEMENT SQ FT	43,938
TYPICAL RENTAL RATE	$6.50
VACANCY RATE	0%
EXPENSE RATE	15%
CAPITALIZATION RATE	8.60%
INDICATED VALUE	**$2,822,761**
PER SQ FT	**$64.24**

2017 & 2018

Petition for Abatement

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BENTONVILLE, AR 72712

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ECON AREA: 1

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