Received
County Adminstration
7/22/2014

2014 PERSONAL PROPERTY NOTICE OF DETERMINATION

Gunnison County
COLORADO

Kristy McFarland
Gunnison County Assessor
221 N Wisconsin St, Suite A
Gunnison, CO 81230

Date of Notice: July 9, 2014
Phone: (970) 641-1085
Fax: (970) 641-7920
Email: assessor@gunnisoncounty.org
Website: http://www.gunnisoncounty.org/assessor.html

CBOE # 8

ACCOUNT NUMBER	TAX YEAR	TAX AREA	PARCEL NUMBER
P000519	2014	100	3787

AGENT	LEGAL DESCRIPTION
ASSESSEMENT TECHNOLOGIES LTD ATTN JAMES HAUSMAN 121 INTERPARK BLVD STE 308 SAN ANTONIO, TX 78216-1852 OWNER: SAFEWAY STORES INC	PP: LOTS 1-20 AND PART ALLEYS BLK 147 WEST GUNNISON

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
		ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Personal Property		248,570	248,570
TOTALS		$248,570	$248,570

The Assessor has carefully studied all the available information, giving particular attention to the specifics included on your protest. The Assessor's determination of value after review is based on the following:

The actual value of the property is determined by appropriate consideration of the approaches to appraisal set forth in § 39-1-103(5)(a), C.R.S.

ASSET LIST USED FOR VALUATION WAS CORRECT

If you disagree with the Assessor's decision, you have the right to appeal to the County Board of Equalization for further consideration, § 39-8-106(1)(a), C.R.S.

The deadline for filing real property appeals is July 15.
The deadline for filing personal property appeals is July 20.

The Assessor establishes property values. The local taxing authorities (county, school district, city, fire protection, and other special districts) set mill levies. The mill levy requested by each taxing authority is based on a projected budget and the property tax revenue required to adequately fund the services it provides to its taxpayers. The local taxing authorities hold budget hearings in the fall. If you are concerned about mill levies, we recommend that you attend these budget hearings. Please refer to last year's tax bill or ask your Assessor for a listing of the local taxing authorities.

Please refer to the reverse side of this notice for additional information.

RECEIVED
BY
JUL 14 2014
ASSESSMENT
TECHNOLOGIES

CBOE # 8

APPEAL PROCEDURES

County Board of Equalization Hearings will be held from July 1 through August 5 at Gunnison County Courthouse or Blackstock Government Center.

To appeal the Assessor's decision, complete the Petition to the County Board of Equalization shown below, and mail or deliver a copy of both sides of this form to:

Gunnison County Board of Equalization
200 E Virginia Ave
Gunnison, CO 81230
(970) 641-0248

To preserve your appeal rights, your Petition to the County Board of Equalization must be postmarked or delivered on or before **July 15 for real property** and on or before **July 20 for personal property** – after such date, your right to appeal is lost. You may be required to prove that you filed a timely appeal; therefore, we recommend that all correspondence be mailed with proof of mailing.

You will be notified of the date and time scheduled for your hearing. The County Board of Equalization must mail a written decision to you within five business days following the date of the decision. The County Board of Equalization must conclude hearings and render decisions by August 5, § 39-8-107(2), C.R.S. If you do not receive a decision from the County Board of Equalization and you wish to continue your appeal, you must file an appeal with the Board of Assessment Appeals by September 12, § 39-2-125(1)(e), C.R.S.

If you are dissatisfied with the County Board of Equalization's decision and you wish to continue your appeal, you must appeal within 30 days of the date of the County Board's written decision to ONE of the following:

Board of Assessment Appeals
1313 Sherman Street, Room 315
Denver, CO 80203
(303) 866-5880
www.dola.colorado.gov/baa

District Court
Contact the District Court in the county where the property is located. See your local phone book for the address and telephone number.

Binding Arbitration
For a list of arbitrators, contact the County Commissioners at the address listed for the County Board of Equalization.

If the date for filing any report, schedule, claim, tax return, statement, remittance, or other document falls upon a Saturday, Sunday, or legal holiday, it shall be deemed to have been timely filed if filed on the next business day, § 39-1-120(3), C.R.S.

PETITION TO COUNTY BOARD OF EQUALIZATION

What is your estimate of the property's value as of June 30, 2012? (Your opinion of value in terms of a specific dollar amount is required for real property pursuant to § 39-8-106(1.5), C.R.S.)

$ 74,197

What is the basis for your estimate of value or your reason for requesting a review? (Please attach additional sheets as necessary and any supporting documentation, i.e., comparable sales, rent roll, original installed cost, appraisal, etc.)

Property not assessed at fair market value - including adjustments for obsolescence

ATTESTATION

I, the undersigned owner or agent* of the property identified above, affirm that the statements contained herein and on any attachments hereto are true and complete.

James Hausman — Signature
210-222-1221 — Telephone Number
7/18/2014 — Date

*Attach letter of authorization signed by property owner.

CBOE # 8

EXHIBIT A
Page 1 of 1

SAFEWAY INC.
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229

January 24, 2014

RE: Appointment of Agent
Safeway, Inc.

To Whom It May Concern:

Please be advised that the firm of Assessment Technologies, Ltd., ("ATLTD") has been retained and granted power of attorney to represent the interests of the entity **Safeway, Inc.** with respect to all property tax issues and all matters with your office.

Communications related to the appeal process should be mailed to:

Assessment Technologies, Ltd.
121 Interpark, Suite 308
San Antonio, TX 78216
Attn: Safeway, Inc. Account Manager

Thank you for your assistance in this matter. If you should have any questions or concerns please contact Heather Chambless, Account Manager at (210) 222-1221 or by email at hchambless@atechltd.com.

Sincerely,

Donn Matsuzaki
Asst. Tax Manager
Safeway, Inc.

CBOE # 8

EXHIBIT B
Page 1 of 1

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Contra Costa

On Feb. 11, 2014 before me, Brook Thurston Notary Public
(Here insert name and title of the officer)

personally appeared Donn Matsuzaki,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

BROOK THURSTON
Commission # 2037636
Notary Public - California
Contra Costa County
My Comm. Expires Aug 18, 2017

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Appointment of Agent
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 2 Document Date 1/24/14
(including this page)

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- [x] Individual (s)
- [ ] Corporate Officer

(Title)

- [ ] Partner(s)
- [ ] Attorney-in-Fact
- [ ] Trustee(s)
- [ ] Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgments completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - *Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.*
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

Assessment Technologies
121 Interpark Blvd.
208
San Antonio, TX 78216

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL™

7196 9008 9111 8145 7210

RETURN RECEIPT REQUESTED

neopost
07/18/2014
US POSTAGE

FIRST-CLASS MAIL
$07.61⁰

ZIP 78216
041L11226082

CBOE #8

Received
County Adminstration
7/22/2014

Gunnison County
Board of Equalization
200 E Virginia Ave
Gunnison, CO 81230

1st NOTICE
2nd NOTICE
RETURNED

Gunnison County
COLORADO

Gunnison County Administration
Phone: (970) 641–0248 • Fax: (970) 641–3061
www.GunnisonCounty.org

July 24, 2014

CBOE # **0008**

SAFEWAY STORES INC
121 INTERPARK BLVD STE 3
SAN ANTONIO TX 78216-1852

Schedule Number: **P000519**
Parcel Number: **0000-000-03-787**
Property Description: **PP: LOTS I,-20 AND PART ALLEYS BLK 147 WEST GUNNISON**

Dear Property Owner,

The Gunnison County Board of Equalization will hear your petition of protest on the valuation for assessment of your property on **Tuesday, August 05, 2014** at **8:15 AM**.
The hearing will be held in the:
Planning Commission meeting room, located in the Blackstock Government Center at 221 N. Wisconsin St. Gunnison, CO 81230

Please read the following information carefully. You may appear before the Board in person, via telephone conference call, appear with your representative, or have your representative appear on your behalf. **If you plan to be represented by someone other than yourself at your hearing, please submit a letter of agency signed by you** to Bobbie Lucero by email at Blucero@gunnisoncounty.org, or by fax at 970-641-3061. **Please contact Bobbie prior to the hearing date to make a special request for a phone conference, if needed.**

1. You may submit your case in written form and waive a personal appearance before the Board. If your information is submitted in this manner, the Board will make a determination after reviewing the petition, any written evidence that has been provided, and after allowing the Assessor to give testimony and submit exhibits.

2. Upon your written request to the Assessor's Office at 221 N Wisconsin Street, Gunnison Colorado 81230, phone number 970-641-1085, the Assessor is required to make available to you, three (3) working days after receiving the request, all data supporting the valuation. Your request must be accompanied by your information supporting your valuation. This disclosure does not prohibit the introduction of additional data at the hearing discovered as a result of the exchange of the information.

3. Please provide one copy of the documentation that you plan to submit at the hearing, AND any documentation that has been provided to the Assessor's Office, by 8:00 am, two (2) business days prior to the hearing date of **Tuesday, August 05, 2014** to permit the exhibits to be presented to the Board. Please bring, or have delivered, such documentation to the County Administration Office located at 200 E. Virginia Avenue, Suite 104, Gunnison, Colorado. This documentation may also be faxed to 970-641- 3061, or email to Blucero@gunnisoncounty.org. If you must bring additional documentation to the hearing, please bring five (5) copies of each document.

4. Because of the volume of cases before the Board of Equalization, all hearings scheduled are final and cannot be rescheduled. Hearings will go before the board in your absence. The Board will carefully consider all data submitted. If you cannot attend the hearing scheduled for you above, please contact Bobbie Lucero at 970-641-7600.

Sincerely,

Bobbie Lucero
Clerk to the Board of Equalization

Gunnison County
COLORADO

200 East Virginia Avenue
Gunnison, CO 81230

U.S. POSTAGE PITNEY BOWES
ZIP 81230 $ 000.48⁰
02 1W
0001368390 JUL 24 2014

Assessment Technologies LTD

121 Interpark Blvd. Ste 308

San Antonio, TX 78216-1852

2014
Gunnison County Board of Equalization:
Hearing #0008

The Gunnison County Assessor's Office has been asked to communicate the results of its valuation assignment for the following personal property:

Property Owner: SAFEWAY STORES, INC
Account Number: P000519
Parcel Number: 3787
Legal Description: PP: LOTS 1-20 AND PART ALLEYS BLK 147 WEST GUNNISON
Actual Value: $248,570

The personal property in question consists of supermarket equipment used in conjunction with the Safeway store at 112 S Spruce St in Gunnison. Safeway Stores timely filed a 2014 Personal Property Declaration which provided information about all of their personal property, including year of acquisition and original installed cost for each item. The Assessor calculated the 2014 actual value for Safeway's personal property based on this information.

Colorado statutes require that actual value be determined by appropriate consideration of the cost, sales comparison and income approaches to value. Since in this case insufficient data were available to apply the sales comparison or income approaches, the Assessor relied on the cost approach. A value for each personal property item was derived as follows:

Actual Value = Original Cost x Cost Factor x % Good x Rollback Factor

Cost Factor: Factor based on the age and type of equipment that accounts for inflation. Used to convert the item's original cost into a replacement cost new (RCN).
% Good: Factor based on the age, useful life and type of equipment that accounts for depreciation. Used to derive the item's current market value, or replacement cost new less depreciation (RCNLD).
Rollback Factor: Factor that "rolls back" the RCNLD to the correct level of value, based on the appraisal date for the current reappraisal cycle (June 30, 2012).

All three factors are published in tabular form by the Division of Property Taxation (DPT), who undertake extensive research each year to develop them. Assessors are strongly encouraged to make use of these standardized tables as a way of promoting equalization through consistent valuation of personal property, both within each county and across the state. The Gunnison County Assessor utilized the DPT tables in the valuation of Safeway's personal property, as we did for all supermarket equipment and most other personal property in the county.

Safeway Stores has lodged similar appeals in multiple Colorado counties, and many of these cases are currently pending before the BAA. Safeway is making the claim that its equipment is subject to abnormally high economic depreciation due to disequilibrium in the grocery industry. To date the BAA has made a determination on only one of these appeals (Arapahoe County), in which case it rejected Safeway's argument and ruled in favor of the CBOE.