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5 Attorneys for Plaintiff
6

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN THE ARIZONA TAX COURT**
9

10 **CENTER RIDGE APARTMENTS**
11 **LLLP, an Arizona limited liability**
limited company,

12 **Plaintiff,**

13 **v.**

14 **GILA COUNTY, a political**
subdivision of the State of Arizona,

15 **Defendant.**

No. TX 2009-000876

JUDGMENT

16
17 The parties having stipulated to the entry of Judgment and good cause appearing:

18 **IT IS ORDERED, ADJUDGED AND DECREED,**

19 1. That the full cash values of Gila County tax parcel number 304-16-310 shall
20 be changed to \$1,052,144 for the 2010 tax year.

21 2. That the limited property value of the said parcel for the 2010 year shall be
22 derived in accordance with the provisions of A.R.S. §42-13301 to 42-13304, as
23 applicable.

24 3. Plaintiff shall pay property taxes levied and assessed against the Subject
25 Property for the 2010 tax year in accordance with A.R.S. §42-16210. Plaintiff is
26 responsible for timely payment of taxes for the 2010 tax years regardless of whether a

1 property tax statement is issued which is consistent with this judgment.

2 4. In the event that Plaintiff pays all of the property taxes that were levied and
3 assessed on the Subject Property for the 2010 tax year, the Treasurer's Office will
4 determine the amount of such taxes due on the Subject Property based upon the full cash
5 and limited property values as set forth herein, and shall calculate the excess taxes that
6 have been paid for the 2010 tax year. Defendant shall refund such excess taxes to
7 Plaintiff's attorney, Bancroft Susa and Galloway, PC, with interest thereon to be
8 calculated in accordance with A.R.S. §42-16214.

9 5. In the event Plaintiff pays only the first half of the 2010 taxes due on the
10 subject property for the 2010 tax year, as provided by A.R.S. §42-16210, any refund due
11 Plaintiff shall first be applied to the second-half of taxes due for the 2010 tax year, and
12 shall then be applied to any prior year's taxes, interest and penalties that are unpaid and
13 delinquent on the property.

14 Any remaining balance due Plaintiff after deduction of second-half taxes and
15 delinquent prior tax year's taxes, interest and penalties shall be refunded to Plaintiff's
16 attorney, Bancroft Susa and Galloway, PC, with interest thereon to be calculated in
17 accordance with A.R.S. § 42-16214.

18 6. That the above amounts shall be calculated by the Gila County Treasurer
19 and shall be paid by Gila County.

20 7. That the parties shall bear their own costs and attorney's fees.

21 8. This judgment is the result of a settlement between the parties and shall not
22 be used by either party for any other purpose except as a determination of values for the
23 tax year indicated herein.

24 9. This judgment shall not prevent the Gila County Assessor from changing
25 the valuation of the above tax parcels for the 2010 tax year pursuant to the provisions of
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A.R.S. §42-15105.

DONE IN OPEN COURT this ____ day of _____, 2011.

Dean M. Fink
Judge of the Arizona Tax Court

APPROVED AS TO FORM AND SUBSTANCE

DAISY FLORES
GILA COUNTY ATTORNEY

Michael G. Galloway
For and as authorized by
Bryan B. Chambers
Attorneys for Defendant Gila County

BANCROFT SUSA & GALLOWAY

Michael G. Galloway
Hadar L. Avraham
Attorneys for Plaintiff Center Ridge Apartments LLLP

ORIGINAL, TWO COPIES of the foregoing and envelopes LODGED this ____ day of January, 2011 with:

Honorable Dean M. Fink
Judge of the Arizona Tax Court
125 W. Washington
Courtroom 202
Phoenix, AZ 85003

1 COPIES mailed by the Tax Court to:

2 Bryan B. Chambers
3 Chief Deputy County Attorney
4 1400 E. Ash Street
5 Globe, AZ 85501

6 Michael G. Galloway
7 Hadar L. Avraham
8 1 E. Camelback Rd., Suite 550
9 Phoenix, AZ 85012

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