

1 **James R. Nearhood – 004594**  
2 **Michael R. Fletcher – 027239**  
3 **NEARHOOD LAW OFFICES, PLC**  
4 **7537 East McDonald Drive**  
5 **Scottsdale, Arizona 85250-6062**  
6 **(480) 998-3525**  
7 **[jrn@nearhoodlaw.com](mailto:jrn@nearhoodlaw.com)**  
8 **[mrf@nearhoodlaw.com](mailto:mrf@nearhoodlaw.com)**  
9 **Attorneys for Plaintiff**

10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

11 **IN THE ARIZONA TAX COURT**

12 CSL-PAYSON, LLC, ) NO. TX2014-000308  
13 )  
14 Plaintiff, ) **STIPULATED JUDGMENT**  
15 vs. ) (Assigned to the Honorable Christopher  
16 ) Whitten)  
17 GILA COUNTY, a political subdivision )  
18 of the State of Arizona, )  
19 )  
20 Defendant. )  
21 )

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

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

24 1. The full cash value of Gila County tax parcel number 302-35-253B (the  
25 “Parcel”) shall be changed as follows:

26 a. For the 2014 tax year, the full cash value of the Parcel shall be changed to  
27 \$3,350,000.

28 b. For the 2015 tax year, the full cash value of the Parcel shall be changed to  
\$3,350,000.

1           2.       The limited property value of the Parcel for the 2014 and 2015 tax years shall be  
2 derived in accordance with the provisions of A.R.S. §42-13301 to §42-13304, as applicable.

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4           3.       For the 2014 and 2015 tax years, the classification of the Parcel shall be  
5 changed to Class 4, subject to a 10% assessment ratio.

6  
7           4.       The taxes on the Parcel for the 2014 and 2015 tax years shall be calculated based  
8 on the full cash values and limited property values, and the change in classification and  
9 assessment ratio, set forth in paragraphs 1, 2 and 3 above.

10           5.       Plaintiff has paid in full the real property taxes assessed against the Parcel for the  
11 2014 tax year. Defendant shall refund to Plaintiff an amount equal to any excess in taxes  
12 levied, assessed and paid as a result of the reductions in the 2014 full cash and/or limited  
13 property values, and the change in classification and assessment ratio, as set forth above, plus  
14 interest at the legal rate of 3% pursuant to A.R.S. § 42-16214(A)(3), as amended by 2014 Ariz.  
15 Legis. Serv. Ch. 249 (S.B. 1352) eff. July 24, 2014, payable from the date of overpayment  
16 until the Judgment is paid in full. Such refund shall first be applied to any prior year's taxes,  
17 interest and penalties that are unpaid and delinquent on the Parcel. Any balance of the refund  
18 shall be paid to the Client Trust Account of Nearhood Law Offices, PLC by the Gila County  
19 Treasurer upon receipt of an approved resolution adjusting the tax roll to the Judgment values  
20 as processed by the Gila County Assessor.

21           6.       In the event Plaintiff pays all of the taxes assessed against the Parcel for the 2015  
22 tax year prior to the recalculation of the tax, Defendant shall refund to Plaintiff an amount  
23 equal to any excess in taxes levied, assessed and paid as a result of the reductions in the 2015  
24

1 full cash and/or limited property values, and the change in classification and assessment ratio,  
2 as set forth above, plus any accrued interest calculated in accordance with paragraph 5 above.  
3  
4 Such refund shall first be applied to any prior year's taxes, interest and penalties that are  
5 unpaid and delinquent on the Parcel. Any balance of the refund shall be paid to the Client  
6 Trust Account of Nearhood Law Offices, PLC by the Gila County Treasurer upon receipt of an  
7 approved resolution adjusting the tax roll to the Judgment values as processed by the Gila  
8 County Assessor.  
9

10           7. In the event Plaintiff pays the first half of the taxes assessed against the Parcel  
11 for the 2015 tax year prior to the recalculation of the tax, any tax refund due Plaintiff plus any  
12 accrued interest calculated in accordance with paragraph 5 above shall first be applied to the  
13 second-half of taxes due for the 2015 tax year, and shall then be applied to any prior year's  
14 taxes, interest and penalties that are unpaid and delinquent on the Parcel. Any balance of the  
15 refund after the application of such payments shall be paid to the Client Trust Account of  
16 Nearhood Law Offices, PLC by the Gila County Treasurer.  
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19           8. The above amounts shall be calculated by the Gila County Treasurer and shall be  
20 paid by Gila County.  
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22           9. The parties shall bear their own costs and attorney's fees.  
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24           10. This Judgment is the result of a settlement between the parties and shall not be  
25 used by either party for any other purpose except as a determination of values and  
26 classification for the 2014 and 2015 tax years.  
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11. Subject to the exceptions provided by A.R.S. §42-16002, the reduced full cash value and change in classification of the Parcel for the 2015 tax year, as determined by this Judgment, will be its full cash value and classification for the following tax year, unless the full cash value as determined by the Gila County Assessor for the following tax year is lower, in which event the full cash value shall be the lower value.

12. That no further matters remain pending. This Judgment is entered pursuant to Rule 54(c), Arizona Rules of Civil Procedure.

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

JUDGE OF THE SUPERIOR COURT

\_\_\_\_\_

**APPROVED AS TO FORM AND SUBSTANCE:**

GILA COUNTY ATTORNEY'S OFFICE

/s/ Bryan B. Chambers (with permission)  
Bryan B. Chambers  
Deputy County Attorney  
GILA COUNTY ATTORNEY'S OFFICE  
1400 E. Ash Street  
Globe, Arizona 85501  
Attorneys for Defendant Gila County

NEARHOOD LAW OFFICES, PLC

/s/ James R. Nearhood  
James R. Nearhood - #004594  
7537 East McDonald Drive  
Scottsdale, Arizona 85250-6062  
Attorneys for Plaintiff

1 **ORIGINAL** e-Filed this \_\_\_\_\_ day  
2 of \_\_\_\_\_, 2015, with:

3 The Clerk of the Court  
4 Maricopa County Superior Court

5  
6 **COPY** of the foregoing **MAILED** this  
7 \_\_\_\_\_ day of \_\_\_\_\_, 2015, to:

8 Bryan B. Chambers  
9 Deputy County Attorney  
10 GILA COUNTY ATTORNEY'S OFFICE  
11 1400 E. Ash Street  
12 Globe, Arizona 85501  
13 Attorneys for Defendant Gila County

14 By: /s/ Jody Genteman

15 N:\- CLIENT NO\5200\5287 - Compass Senior Living, LLC\001 - Majestic Rim Senior Living Facility - 2014 & 2015 PTL\Pleadings\Stipulated Judgment.v2.doc  
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