

1 Douglas S. John (#021150)
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8 Attorney for Plaintiff

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

10 **IN THE ARIZONA TAX COURT**

11 SIERRA VISTA MALL REALTY
12 HOLDING LLC, an Arizona limited liability
13 company,

14 Plaintiff,

15 v.

16 COCHISE COUNTY, a political subdivision
17 of the State of Arizona,

18 Defendant.

Case No.: TX2021-000472

STIPULATED JUDGMENT

(Title 42)

(Assigned to the Honorable Sara J.
Agne)

19 The parties have settled this appeal and stipulated to the entry of Judgment as set
20 forth herein. Accordingly,

IT IS ORDERED, ADJUDGED AND DECREED,

21 1. That the property that is the subject of this action is identified by the
22 Cochise County parcel numbers 105-16-037A, 105-16-037B, 105-16-039, 105-16-040,
23 105-16-041D, 105-16-041E, and 105-16-044 (“Subject Property”).

24 2. That the full cash value of the Subject Property shall be changed for the
25 2021 tax year as follows:

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105-16-037A	\$11,529,397	\$2,989,056
105-16-037B	\$1,400,000	\$586,940
105-16-039	\$4,801,996	\$972,615
105-16-040	\$574,992	\$574,992
105-16-041D	\$622,248	\$622,248
105-16-041E	\$1,059,127	\$1,059,127
105-16-044	\$421,664	\$421,664
TOTAL	\$20,409,424	\$7,226,642

3. That the full cash value of the Subject Property shall be changed for the 2022 tax year as follows:

105-16-037A	\$11,529,397	\$2,989,056
105-16-037B	\$1,400,000	\$586,940
105-16-039	\$4,801,996	\$972,615
105-16-040	\$574,992	\$574,992
105-16-041D	\$622,248	\$622,248
105-16-044	\$421,664	\$421,664
TOTAL	\$19,350,297	\$6,167,515

4. Because parcel 105-16-041E was sold prior to the payment of the 2022 tax year taxes, Plaintiff agrees to dismiss the aforementioned parcel from the lawsuit.

5. That the 2021 and 2022 tax years' limited property value shall be derived in accordance with the provisions of A.R.S. § 42-13302.

6. That, pursuant to A.R.S. § 42-16215, Defendant shall correct the property tax roll for tax years 2021 and 2022 for the Subject Property to reflect the terms of this Judgment.

7. That the 2021 and 2022 real property taxes shall be determined based upon the new limited property values, unless A.R.S. § 42-13304(2) applies.

8. The Subject Property's reduced full cash value for tax year 2022, as determined by this Judgment, shall not be its full cash value for the 2023 tax year.

9. That, as a result of the reduction in the full cash and limited property values of the Subject Property for the 2021 and 2022 tax years, Defendant Cochise County shall

1 pay to Plaintiff's attorney's trust account for the 2021 and 2022 tax refunds, if any, an
2 amount equal to any such excess taxes levied, assessed, and paid on the Subject Property,
3 plus interest at the legal rate pursuant to A.R.S. §§ 42-16214(A)(3) and 42-1123, payable
4 from the date(s) of overpayment until the Judgment is paid in full.

5 10. That the parties shall each bear their own costs, expert witness expenses,
6 and attorneys' fees.

7 11. That the valuation above is the product of settlement and shall not be used
8 for any other purpose except as determination of value for the tax year indicated above.

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

11 DONE IN OPEN COURT on _____, 2024.

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Honorable Sara J. Agne
Judge of the Arizona Tax Court

1 **APPROVED AS TO FORM AND SUBSTANCE:**

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3 **COCHISE COUNTY ATTORNEY'S OFFICE**

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5 /s/
Paul Correa
Attorneys for Defendant

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7 **FRAZER, RYAN, GOLDBERG, & ARNOLD,**
8 **L.L.P.**

9 /s/ Douglas S. John
10 Douglas S. John
Attorneys for Plaintiffs

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13 **ORIGINAL** of the foregoing electronically
14 filed with the Clerk of the Superior Court,
15 Maricopa County

16 **AND**

17 **COPY** of the foregoing electronically served
18 this ___ day of March 2024 to:

19 Paul Correa
Cochise County Attorney's Office
20 P.O. Drawer CA
Bisbee, Arizona 85603
cvattymeo@cochise.az.gov
21 PCorrea@cochise.az.gov
Attorneys for Defendant

22
23 /s/ Paige Kleinwolterink