

1 Douglas S. John (#021150)
2 **FRAZER RYAN GOLDBERG & ARNOLD, L.L.P.**
3 1850 North Central Avenue, Suite 1800
4 Phoenix, Arizona 85004
5 Telephone: (602) 277-2010
6 Facsimile: (602) 277-2595
7 Email: djohn@frgalaw.com

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.: TX2023-000069

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, and 105-16-044 (“Subject Property”).

24 2. That the full cash value of the Subject Property shall be changed for the
25 2024 tax year as follows:

26 ///

27 ///

28 ///

///

///

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
TOTAL	\$18,306,385	\$5,123,603

3. Because parcels 105-16-041D, 105-16-041E, and 105-16-044 were sold prior to the payment of the 2024 tax year taxes, Plaintiff agrees to dismiss the aforementioned parcels from the lawsuit.

4. That the 2024 tax year's limited property value shall be derived in accordance with the provisions of A.R.S. § 42-13302.

5. That, pursuant to A.R.S. § 42-16215, Defendant shall correct the property tax roll for tax year 2024 for the Subject Property to reflect the terms of this Judgment.

6. That the 2024 real property taxes shall be determined based upon the new limited property values, unless A.R.S. § 42-13304(2) applies.

7. That, pursuant to A.R.S. § 42-16002, and subject to the exceptions therein, the Subject Property's reduced full cash value for tax year 2024, as determined by this judgment, shall be its full cash value for the 2025 tax year.

8. That, as a result of the reduction in the full cash and limited property values of the Subject Property for the 2024 tax year, Defendant Cochise County shall pay to Plaintiff's attorney's trust account for the 2024 tax refunds, if any, an amount equal to any such excess taxes levied, assessed, and paid on the Subject Property, plus interest at the legal rate pursuant to A.R.S. §§ 42-16214(A)(3) and 42-1123, payable from the date(s) of overpayment until the Judgment is paid in full.

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DONE IN OPEN COURT on _____, 2024.

Honorable Sara J. Agne
Judge of the Arizona Tax Court

APPROVED AS TO FORM AND SUBSTANCE:

COCHISE COUNTY ATTORNEY’S OFFICE

/s/ _____
Paul Correa
Attorneys for Defendant

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

/s/ Douglas S. John _____
Douglas S. John
Attorneys for Plaintiffs

ORIGINAL of the foregoing electronically
filed with the Clerk of the Superior Court,
Maricopa County

AND

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

Paul Correa
Cochise County Attorney’s Office
P.O. Drawer CA
Bisbee, Arizona 85603
cvattyme@cochise.az.gov
PCorrea@cochise.az.gov
Attorneys for Defendant

/s/ Paige Kleinwolterink _____