

**BEFORE THE NEBRASKA TAX EQUALIZATION  
AND REVIEW COMMISSION**

ARBORS SS LP, )

**Case No. 02C-26**

Appellant, )

v. )

**FINDINGS AND ORDERS  
(CONFESSION OF JUDGMENT)**

DAKOTA COUNTY BOARD )

OF EQUALIZATION, )

Appellee. )

**THIS CAUSE** comes on for hearing before the Nebraska Tax Equalization and Review Commission on the 3rd day of June, 2003. Based upon the Notice of Appeal filed by the Appellant, and the Offer to Confess Judgment filed by the Appellee, and the Appellant's Acceptance of the Offer to Confess Judgment, the Commission finds and determines as follows:

**I.**

That pursuant to Neb. Rev. Stat. §77-5007 (2002 Cum. Supp.), the Commission has jurisdiction over the parties hereto and over the subject matter of this appeal.

**II.**

That the subject matter of this appeal is the assessed value of certain real property for tax year 2002, which real property is legally described in the appeal.

**III.**

That on the 17th day of July, 2002, the Appellee determined that the real property which is the subject matter of this appeal had a value for purposes of taxation in the amount of \$7,823,465.00.

IV.

That on the 19th day of August, 2002, the Appellant filed a Notice of Appeal, alleging that the assessed value of \$7,823,465.00 of the subject property was excessive.

V.

That on the 30th day of May, 2003, the Appellee filed a Confession of Judgment, which, if accepted by the Appellant, would result in a total assessed valuation for purposes of taxation in the amount of \$7,450,920.00 for tax year 2002.

VI.

That on the 3rd day of June, 2003, the Tax Equalization and Review Commission entered an Order Granting Appellee Leave to Offer to Confess Judgment.

VII.

That on the 30th day of May, 2003, the Appellant accepted the Appellee's Offer to Confess Judgment for the sum of \$7,450,920.00, as evidenced by the Appellant's signature on the Acceptance Agreement filed on the 2nd day of June, 2003.

**ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:**

1. That the order of the County Board of Equalization of Dakota County, Nebraska, which set the assessed value of the subject property for tax year 2002, is hereby vacated and set aside.
  2. That the Appellee's Confession of Judgment is hereby approved.
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3. That the subject property legally described as Lot 45, Missouri View First Filing, County of Dakota, State of Nebraska, shall be valued for purposes of taxation for tax year 2002, as follows:

Total	\$7,450,920
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4. That this decision, if no appeal is filed, shall be certified within thirty days to the Dakota County Treasurer, and the Dakota County Assessor, pursuant to Neb. Rev. Stat. §77-5018 (2002 Cum. Supp.).
5. That any request for relief by any party not specifically granted by this order is denied.
6. That this Order shall not be used or construed as a determination of the assessed value of the subject property in any other proceeding pertaining to the valuation of the subject property for any tax year other than tax year 2002.
7. That each party is to bear its own costs in this matter.

**IT IS SO ORDERED.**

**DATED** this 3rd day of June, 2003.



Seal

Robert L. Hans, Commissioner

Susan S. Lore, Commissioner

Wm. R. Wickersham, Vice-Chair

Mark P. Reynolds, Chair