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BEFORE THE NEBRASKA TAX EQUALIZATION
AND REVIEW COMMISSION

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COHEN-ESREY REAL ESTATE,)
)
Appellant,)
)
vs.)
)
LANCASTER COUNTY BOARD OF)
EQUALIZATION,)
)
Appellee.)

Case No. 99C-30

FINDINGS OF FACT
AND CONCLUSIONS OF LAW

NOW this matter comes before the Commission on this 8th day of February, 2000, on appellee's Motion to Confess Judgment. The Commission, being duly advised in the premises, FINDS, ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

1. That the Commission has jurisdiction over the parties and the subject matter hereto.

2. That at all times pertinent hereto the appellant was the owner of and was responsible for the payment of taxes on the property described as follows:

South Pointe Pavillions 1st Addition, Block 1, Lot 2, Lancaster County, Nebraska; Parcel Number 16-18-324-002-000.

3. That for the 1999 tax year the appellee set the value of the Appellant's property for tax purposes at \$700,000.

4. That appellant perfected the instant appeal alleging that the value set by the appellee for the subject property for the 1999 tax year was too high.

5. That on the 7th day of February, 2000, the appellee, pursuant to Neb. Rev. Stat. § 77-1510.01 (Reissue 1996) and Nebraska Administrative Code Title 442, Chapter 4, section 004.01, filed a motion seeking approval to confess judgment and containing an offer to confess judgment at a value of \$625,000 for the 1999 tax year, each party to pay its own costs.

6. That on the 7th day of February, 2000, appellant filed herein a written acceptance of appellee's offer to confess to judgment.

7. That appellee's Motion to Confess Judgment should be and hereby is granted.

8. That the action of the appellee, Lancaster County Board of Equalization setting the value of Appellant's property at \$700,000 for the 1999 tax year is hereby vacated and set aside.


9. That the value of appellant's property for the 1999 tax year is hereby set at \$625,000, which value represents land value of \$625,000 and an improvement value of \$0.

10. That this decision shall be certified to the Lancaster County Clerk, the Lancaster County Assessor, and the Lancaster County Treasurer, and said officials are hereby directed to correct the tax records of Lancaster County to reflect the values established herein.

11. That each party shall pay its own costs herein.

DATED this 8th day of February, 2000.


BY THE COMMISSION:

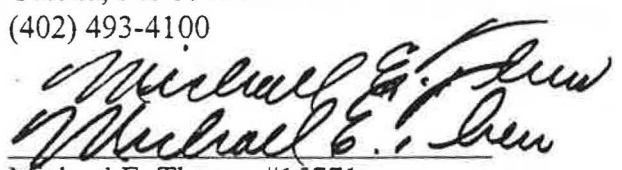


Chairman



APPROVED AS TO FORM:


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