

BEFORE THE NEBRASKA TAX EQUALIZATION AND REVIEW COMMISSION

Hyvee, Inc., J.W. Chatam & Assoc.,
Appellant,

v.

Sarpy County Board of Equalization,
Appellee.

Case Nos: **11C 181** & 13C 043

Amended Decision and Order for Dismissal
with Prejudice
(Caption Correction)

Procedural Background

1. The Subject Property is a commercial grocery store located at 7608 Olson Drive, Papillion, Sarpy County, Nebraska. The legal description of the Subject Property is found in the Case File.
2. The Sarpy County Assessor (the Assessor) assessed the Subject Property at \$1,450,000 for tax year 2011 and \$1,680,000 for tax year 2013.
3. The Taxpayer protested these values to the Sarpy County Board of Equalization (County Board).
4. The County Board determined that the taxable value of the Subject Property was \$1,450,000 for tax year 2011 and \$1,680,000 for tax year 2013.
5. The Taxpayer appealed the determination of the County Board to the Tax Equalization and Review Commission (the Commission).
6. The Commission held a hearing on these appeals on July 22, 2014, at a Tax Equalization and Review Commission Hearing Room, Sixth Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.
7. Brian S. Kruse, attorney for the Taxpayer, was present at the hearing.
8. John Reisz, Deputy Sarpy County Attorney, and Nicole O' Keefe, Deputy Sarpy County Attorney, were present for the Sarpy County Board of Equalization (the County Board).
9. At the hearing, the Appellant made a verbal motion to dismiss the above captioned appeals.

ORDER

IT IS THEREFORE ORDERED THAT:

1. The above captioned appeals are dismissed with prejudice.

This decision, if no appeal is filed, shall be certified within thirty days to the Sarpy County Treasurer, and the officer charged with preparing the tax list for Sarpy County, as required by Neb. Rev. Stat. §77-5018 (2012 Cum. Supp.), as follows:

Dan Pittman
1210 Golden Gate Dr. Ste 1122
Papillion, NE 68046

Rich James
1210 Golden Gate Dr. Ste 1120
Papillion, NE 68046

2. Each party is to bear its own costs in this matter.
3. This Decision and Order shall only be applicable to tax years 2011 and 2013.
4. This Decision and Order is effective on August 8, 2014.

SIGNED AND SEALED August 8, 2014

Seal

Robert W. Hotz, Commissioner

Nancy J. Salmon, Commissioner