



STATE OF NEVADA
STATE BOARD OF EQUALIZATION

BRIAN SANDOVAL
Governor

1550 College Parkway, Suite 115
Carson City, Nevada 89706-7921
Telephone (775) 684-2160
Fax (775) 684-2020

CHRISTOPHER G.
NIELSEN
Secretary

In the Matter of

Bank of Wachovia National Association
APN: 125-06-501-001
Clark County, Nevada
PETITIONER

Michele Shafe
Clark County Assessor
RESPONDENT

Appeal of the Decision of the
CLARK COUNTY
BOARD OF EQUALIZATION

Case No. 13-330

NOTICE OF DECISION

Appearances

Michael P. Killion appeared on behalf of Bank of Wachovia National Association (Taxpayer).

Leon Maj, Karen Slaughter, and Darrell Prawalsky appeared on behalf of the Clark County Assessor's Office (Assessor).

Summary

The matter of the Taxpayer's petition for review of property valuations for the 2013-14 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on July 9, 2013 after due notice to the Taxpayer and the Assessor.

The State Board, having considered all evidence, documents and testimony pertaining to the valuation of the property in accordance with NRS 361.227, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

- 1) The State Board is an administrative body created pursuant to NRS 361.375.
- 2) The State Board is mandated to hear all appeals of property tax assessments pursuant to NRS 361.360 and NRS 361.400.
- 3) The Taxpayer and the Assessor were given adequate, proper and legal notice of the time and place of the hearing before the State Board, and the matter was properly noticed pursuant to the Open Meeting Law at NRS 241.020.
- 4) The subject property consists of vacant land containing 310.95 acres located within Kyle Canyon Master Planned Community, west of US 95 and south of Kyle Canyon Road in Clark County, Nevada. *See Record, SBE pages 204-205; 207-208; Tr., 7-9-13, p. 230, l. 21 through p. 231, l. 4.*
- 5) The Clark County Board of Equalization (County Board) ordered the total taxable value for the subject properties of \$4,042,351, or \$13,000 per acre, be upheld for the 2013-2014 secured roll. *See Record, SBE pages 18 and 219; Tr. 7-9-13, p. 230, ll. 24-25.*
- 6) The State Board found the Taxpayer did not present sufficient evidence to support values different from that established by the County Board. The State Board found the Assessor's analysis of value was consistent with medium density residential property that is designated with a master plan. *See Tr., 7-9-13, p. 239, l. 9 through p. 240, l. 25.*
- 7) The State Board affirmed the decision of the County Board. *See Tr., 7-9-13, p. 240, l. 1 through p. 241, l. 7.*
- 8) The assessed value as previously determined by the County Board is 35% of taxable value.
- 9) Any finding of fact above construed to constitute a conclusion of law is adopted as such to the same extent as if originally so denominated.

CONCLUSIONS OF LAW

- 1) The Taxpayer timely filed a notice of appeal, and the State Board accepted jurisdiction to determine this matter.
- 2) The Taxpayer and the Assessor are subject to the jurisdiction of the State Board.
- 3) The State Board has the authority to determine the taxable values in the State.
- 4) The subject property is appraised, as determined by the County Board, at the proper taxable value in accordance with NRS 361.227.
- 5) Any conclusion of law above construed to constitute a finding of fact is adopted as such to the same extent as if originally so denominated.

DECISION

The Petition of the Taxpayer is denied based on the above Findings of Fact and Conclusions of Law. The Clark County Comptroller is instructed to certify the assessment roll of the county consistent with this decision.

BY THE STATE BOARD OF EQUALIZATION THIS 30th DAY OF AUGUST, 2013.

A handwritten signature in black ink, appearing to read "C. Nielsen", written over a horizontal line.

Christopher G. Nielsen, Secretary
CGN/ter