



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

DEONNE CONTINE  
*Secretary*

In the Matter of

PK II Green Valley Town and Country, LLC  
c/o Kimco  
APN: 161-31-802-011  
Clark County, Nevada  
PETITIONER

Michele Shafe  
Clark County Assessor  
RESPONDENT

Appeal of the Decision of the  
CLARK COUNTY  
BOARD OF EQUALIZATION

Case No. 16-302

**NOTICE OF DECISION**

***Appearances***

No one appeared on behalf of PK II Green Valley Town and Country, LLC (Taxpayer).

Scott Andrie 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 2016-17 Secured Roll within Clark County, Nevada, came before the State Board of Equalization (State Board) for hearing in Las Vegas, Nevada, on May 2, 2016 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. The Department provided evidence to show the Taxpayer received notice of the hearing. *See Record, SBE page 95; Tr., 5-2-16, p.191, ll. 15-18.*
- 4) The subject property consists of three parcels, known as the Green Valley Town & Country Shopping Center, constructed in 1989 and located on 10.51 acres on North Green Valley Parkway and East Sunset Road in Henderson, Clark County, Nevada. *See Record, SBE page 27; Maps, SBE pages 72-75; Tr., 5-2-16, p.191, l. 24 through p. 192, l. 6.*
- 5) The Clark County Board of Equalization (County Board) ordered the total taxable value for the subject property of \$10,764,640 be reduced to \$8,072,284 for the 2016-2017 secured roll. *See Record, SBE pages 16 and 93; Tr. 5-2-16, p. 192, ll. 12-16.*
- 6) The State Board found the Taxpayer did not present sufficient evidence to support values different from that established by the County Board and did not overcome the presumption that the Assessor's valuation is correct. The taxable value was well supported by evidence of market information and the sales and income approach indicators in the record. *See Tr., 5-2-16, p. 192, l. 24 through p. 193, l. 3.*
- 7) The State Board affirmed the decision of the County Board. *See Tr., 5-2-16, p.192, l. 22 through p. 193, l. 11.*
- 8) 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.

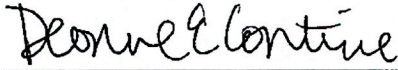
### **CONCLUSIONS OF LAW**

- 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 Taxpayer failed to appear at the hearing. Pursuant to NAC 361.708, the State Board proceeded with the hearing.
- 5) The Taxpayer has the burden of overcoming the presumption that the Assessor's valuation is correct. *See Pittsburg Silver Peak Gold Mining Co. v. Tax Commission, 49 Nev.46 (1925).*
- 6) The subject property is appraised at the proper taxable value as previously determined by the County Board in accordance with NRS 361.227 for the 2016-2017 tax year. The assessed value is 35% of taxable value.
- 7) 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 30<sup>th</sup> DAY OF JUNE, 2016.



Deonne Contine, Secretary  
DC/ter