

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>JAMES T. DOLAN,</p> <p>v.</p> <p>Respondent:</p> <p>JEFFERSON COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 46062</p>
<p>ORDER</p>	

THIS MATTER was heard by the Board of Assessment Appeals on October 16, 2006, Diane M. Devries and Lyle D. Hansen presiding. Petitioner appeared pro se. Respondent was represented by Martin McKinney, Esq. Petitioner is protesting the 2005 actual value of the subject property.

PROPERTY DESCRIPTION:

Subject property is described as follows:

**4643 S. Breakaway Trail, Evergreen, Colorado
Jefferson County Schedule Number 042193**

The subject property is a seasonal cabin built in 1924 of frame construction on a .139-acre site. The subject improvement has 444 square feet of gross living area on the main level with a 143 square foot lower level. The structure has electricity but no heating system, water or sewer utilities.

FINDINGS OF FACT:

1. Based on the market approach, Petitioner presented an indicated value of \$68,000.00 for the subject property.

2. Petitioner presented three comparable sales ranging in sales price from \$98,000.00 to \$135,000.00 and in size from 620 to 742 square feet. After adjustments, the sales ranged from \$68,000.00 to \$74,600.00. Petitioner's appraiser concluded to a market value of \$68,000.00, the low end of the range, to reflect the functional inadequacies of the subject.

3. Petitioner is requesting an actual value ranging from \$55,000.00 to \$62,500.00 for tax year 2005.

4. Respondent presented an indicated value of \$90,500.00 for the subject property based on the market approach.

5. Respondent presented three comparable sales ranging in price from \$100,000.00 to \$146,000.00 and in size from 676 to 742 square feet. After adjustments, the sales ranged from \$69,700.00 to \$111,900.00.

6. Respondent's appraiser concluded to a final indicated value of \$90,500.00 based on an approximate average of the three adjusted sale prices.

7. Respondent assigned an actual value of \$84,350.00 to the subject property for tax year 2005.

CONCLUSIONS:

1. The adjusted range of Respondent's comparable sales is too broad to derive a reliable indication of value.

2. In determining the actual value of the subject property, we placed greatest reliance on the sale located at 4984 Little Cub Creek Road. This sale was identified as Petitioner's Comparable 1 with an adjusted price of \$68,000.00 and as Respondent's Comparable 3 with an adjusted price of \$69,700.00.

3. The Board concluded that the 2005 actual value of the subject property should be reduced to \$70,000.00.

ORDER:

Respondent is ordered to reduce the 2005 actual value of the subject property to \$70,000.00.

The Jefferson County Assessor is directed to change his/her records accordingly.

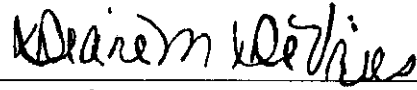
APPEAL:

Petitioner may petition the Court of Appeals for judicial review within 45 days from the date of this decision.

If Respondent alleges procedural errors or errors of law by this Board, Respondent may petition the Court of Appeals for judicial review within 30 days from the date of this decision.

DATED and MAILED this 4th day of November 2006.

BOARD OF ASSESSMENT APPEALS



Diane Devries

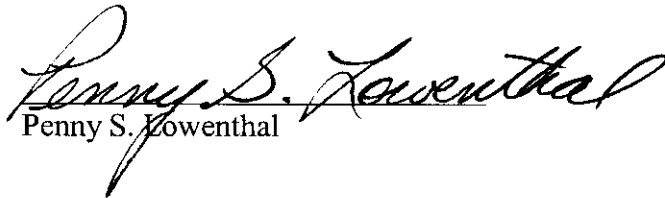


Lyle D. Hansen

This decision was put on the record

NOV 03 2006

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.



Penny S. Kowenthal

