

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>DIAMOND ASSETS, INC.,</p> <p>v.</p> <p>Respondent:</p> <p>EAGLE COUNTY BOARD OF EQUALIZATION.</p>	<p>Docket No.: 51787</p>
<p>ORDER ON MOTION TO DISMISS</p>	

THE BOARD OF ASSESSMENT APPEALS received Respondent's Motion to Dismiss on October 13, 2009. The Board did not receive a response from Petitioner. On October 22, 2009 the Board ordered Respondent to produce a copy of Exhibit A to the Motion to Dismiss, the signed stipulation. A copy of the signed stipulation was received October 26, 2009.

The subject property is described as follows:

**4336 Streamside Circle West, Vail, Colorado
Eagle County Schedule No. R012170**

Petitioner is requesting a reduction in value of the subject property for tax year 2009.

The Board has reviewed Respondent's Motion and the signed stipulation. The Board did not receive a response from Petitioner. It appears the parties entered into a settlement at the County Board of Equalization. Respondent's Motion to Dismiss is granted.

ORDER:

The appeal is dismissed.

APPEAL:

If the decision of the Board is against Petitioner, Petitioner may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of Section 24-4-106(11), C.R.S. (commenced by the filing of a notice of appeal with the Court of Appeals within forty-five days after the date of the service of the final order entered).

If the decision of the Board is against Respondent, Respondent, upon the recommendation of the Board that it either is a matter of statewide concern or has resulted in a significant decrease in the total valuation of the respondent county, may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of Section 24-4-106(11), C.R.S. (commenced by the filing of a notice of appeal with the Court of Appeals within forty-five days after the date of the service of the final order entered).

In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law within thirty days of such decision when Respondent alleges procedural errors or errors of law by the Board.

If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation of the respondent county, Respondent may petition the Court of Appeals for judicial review of such questions within thirty days of such decision.

Section 39-8-108(2), C.R.S.

DATED/MAILED this 2nd day of November 2009.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

Sondra W Mercier

Sondra W. Mercier

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

H. Flannery
Heather Flannery

