

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>STARSHINE LODGE LLC</p> <p>v.</p> <p>Respondent:</p> <p>ROUTT BOARD OF COUNTY COMMISSIONERS</p>	<p>Docket No.: 70183</p>
<p align="center">FINAL AGENCY ORDER ON STIPULATION</p>	

THE PARTIES TO THIS ACTION entered into a Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this Final Agency Order on Stipulation.

1. Subject property is described as follows:

County Schedule No.:	R2581120
Appeal Category:	CLASSIFICATION
Current Classification:	VACANT LAND
2. Petitioner appealed the 2014-2015 classification of the subject property.
3. The parties agreed to dismiss this appeal with prejudice.

(Reference the attached Stipulation).
4. The Board approves the parties' Stipulation and orders the dismissal of this case.

DATED this 16th day of November, 2020

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

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

Sondra W. Mercier

Sondra W. Mercier

Martha Hernandez Sanchez
Martha Hernandez Sanchez



<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, CO 80203</p>	<p>Docket Nos. 69054 and 70183</p>
<p>Petitioner: STARSHINE LODGE, LLC</p> <p>Respondents: ROUTT COUNTY BOARD OF EQUALIZATION and ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS</p>	
<p><i>Attorney for Petitioner:</i> F. Brittin Clayton III, #15940 JONES & KELLER, A PROFESSIONAL CORPORATION 1999 Broadway, Suite 3150 Denver, Colorado 80202 Telephone: 303-785-1689 E-mail: bclayton@joneskeller.com</p> <p><i>Attorney for Respondents:</i> Routt County Attorney: Lynaia South, Reg. # 35291 Assistant Routt County Attorney 522 Lincoln Avenue, Suite 34 Steamboat Springs, CO 80487 970-870-5350 E-mail: lsouth@co.routt.co.us</p>	
<p align="center">STIPULATION FOR DISMISSAL</p>	

Petitioner and Respondents, through their respective undersigned counsel, hereby file this Stipulation for Dismissal as follows:


1. The Subject Property is described as Routt County Schedule No. R2581120 - Lot 4, Blk 1, Resurvey & Rededication of F1 & F2 North Meadows Subdivision.
2. The Subject Property is currently classified as Vacant.

3. The value of the Subject Property is not at issue.
4. Petitioner appealed the decision of the Board of Assessment Appeals to the Court of Appeals.
5. This case was stayed with the Court of Appeals pending the outcome of *Summit County Board of County Commissioners v. Hogan*, 18SC544. On February 18, 2020, the Colorado Supreme Court issued its decision which clarified the statutory term “used as a unit” when classifying property as vacant land or residential.
6. Based on application of the Supreme Court’s decision, Petitioner and Respondent reached a settlement concerning the change in classification of the Subject Property that is embodied in a separate agreement.
7. On June 9, 2020, the Colorado Court of Appeals issued an order in *Starshine v. Routt County Board of Equalization, et al.*, 17CA2401, granting the parties’ Unopposed Motion to Dismiss With Prejudice.
8. The dismissal of this appeal shall not be construed as an affirmance of the Board of Assessment Appeal’s Order that is the subject of this appeal.

This Stipulation for Dismissal fully resolves all issues in this case.

SO STIPULATED this 14th day of July, 2020.

JONES & KELLER

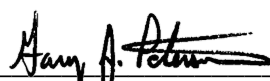
By: 

Attorney for Petitioner,
Starshine Lodge, LLC

ROUTT COUNTY ATTORNEY

By: Lyniaia South 7/14/2020_____
Attorney for Respondents, Routt County Board of
Equalization and Routt County Board of County
Commissioners

ROUTT COUNTY ASSESSOR



Gary Peterson