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| <p><b>BOARD OF ASSESSMENT APPEALS,<br/>STATE OF COLORADO</b><br/>1313 Sherman Street, Room 315<br/>Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>ERP OPERATING PARTNERSHIP,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>DENVER COUNTY BOARD OF EQUALIZATION.</b></p> |                                    |
| <p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Jack P. Hanna<br/>CBIZ Property Tax Solutions, Inc.</p> <p>Address: P.O. Box 2798<br/>Littleton, Colorado 80161</p> <p>Phone Number: 303-850-9945</p>  | <p><b>Docket Number: 40412</b></p> |
| <p><b>ORDER ON STIPULATION</b></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 decision.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject property is described as follows:

**County Schedule No.: 00173-08-002-000**

**Category: Valuation      Property Type: Residential**

2. Petitioner is protesting the 2002 actual value of the subject property.

3. The parties agreed that the 2002 actual value of the subject property should be reduced to:

|              |                 |
|--------------|-----------------|
| Land         | \$ 4,822,000.00 |
| Improvements | \$39,575,400.00 |
| Total        | \$44,397,400.00 |

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2002 actual value of the subject property, as set forth above.

The Denver County Assessor is directed to change his records accordingly.

**DATED/MAILED** this 11<sup>th</sup> day of October, 2002.

This decision was put on the record

October 10, 2002

**BOARD OF ASSESSMENT APPEALS**

*Karen E Hart*

Karen E. Hart

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

*Debra A. Baumbach*

Debra A. Baumbach

*Marian F. Brennan*

Marian F. Brennan



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| <b>BOARD OF ASSESSMENT APPEALS</b><br><b>STATE OF COLORADO</b><br>1313 Sherman Street, Room 315<br>Denver, Colorado 80203  | Docket Number:<br><br>40412<br><br>Schedule Number:<br><br>00173-08-002-000<br><br>02 OCT -9 PM 1:42<br>BOARD OF ASSESSMENT APPEALS<br>RECEIVED |
| Petitioner:<br><br><b>ERP OPERATING PARTNERSHIP</b><br><br>v.<br><br>Respondent:<br><br><b>DENVER COUNTY BOARD OF EQUALIZATION</b>   |   |
| Attorneys for Denver County Board of Equalization<br><br>J. Wallace Wortham, Jr. #5969<br>City Attorney<br><br>Charles T. Solomon #26873<br>Assistant City Attorney<br>1437 Bannock Street, Room 315<br>Denver, Colorado 80203<br>Telephone: 720-913-3286<br>Facsimile: 720-913-3180 |   |
| <b>STIPULATION (As To Tax Year 2002 Actual Value)</b>  |   |

Petitioner, ERP OPERATING PARTNERSHIP, and Respondent, Denver County Board of Equalization, hereby enters into this Stipulation regarding the tax year 2002 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

The Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as:  
  
 16199 East 48th Avenue  
 Denver, Colorado
2. The subject property is classified as residential property.
3. The County Assessor originally assigned the following actual value on the subject property for tax year 2002:

|              |                     |
|--------------|---------------------|
| Land         | \$ 4,822,000        |
| Improvements | <u>\$42,505,808</u> |
| Total        | \$47,327,808        |

4. After a timely appeal to the Board of Equalization, the Board of Equalization valued the subject property as follows:

|              |                     |
|--------------|---------------------|
| Land         | \$ 4,822,000        |
| Improvements | <u>\$42,505,808</u> |
| Total        | \$47,327,808        |

5. After further review and negotiation, the Petitioner and Board of Equalization agree to the following actual value for the subject property for tax year 2002:

|              |                     |
|--------------|---------------------|
| Land         | \$ 4,822,000        |
| Improvements | <u>\$39,575,400</u> |
| Total        | \$44,397,400        |

6. The valuations, as established above, shall be binding only with respect to tax year 2002.

7. Brief narrative as to why the reduction was made:

Reconsideration of comparable market sales

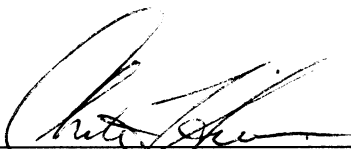
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on No hearing date has been scheduled, 2002 at be vacated.

DATED this 7<sup>th</sup> day of October, 2002.

Agent for Petitioner

  
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DENVER COUNTY BOARD OF  
 EQUALIZATION

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Docket Number: 40412