

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>CMD REALTY INV FUND III LP,</p> <p>v.</p> <p>Respondent:</p> <p>EL PASO COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Ronald S. Loser, Esq Address: 1700 Lincoln St., #1300 Denver, CO 80203 Phone Number: (303) 866-9400 Attorney Reg. No.: 1685</p>	<p>Docket Number: 40723</p>
<p>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 decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

County Schedule No.: 64250-03-001

Category: Valuation Property Type: Commercial
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	\$ 501,811.00
Improvements	<u>\$5,820,776.00</u>
Total	\$6,322,587.00

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.

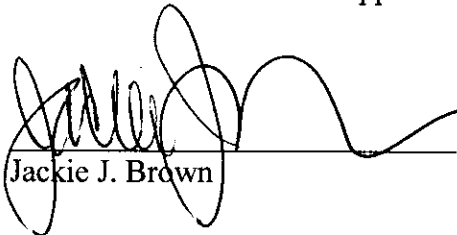
The El Paso County Assessor is directed to change his/her records accordingly.

DATED/MAILED this 18th day of February, 2004.

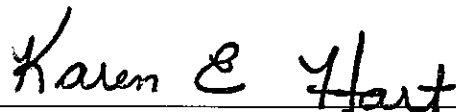
This decision was put on the record

February 17, 2004


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


Jackie J. Brown

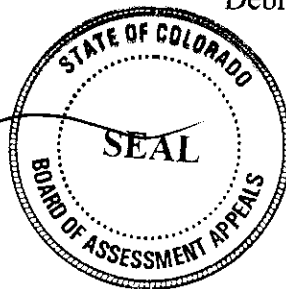
BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: **40723**
Single County Schedule Number: **64250-03-001**

STIPULATION (As to Tax Year **2002** Actual Value)

CMD Realty Inv. Fund III LP

Petitioner(s),

vs.

EL PASO COUNTY BOARD OF EQUALIZATION,

Respondent

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BOARD OF ASSESSMENT APPEALS

Petitioner(s) and Respondent hereby enter 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.

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

1. The property subject to this Stipulation is described as:

LOT 1 BLK 1 NEWPORT SUB FIL 10 COLO SPGS

2. The subject property is classified as **Commercial** property.

3. The County Assessor originally assigned the following actual value to the subject property for tax year **2002**:

Land:	\$ 501,811.00
Improvements:	\$5,968,503.00
Total:	\$6,470,314.00

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

Land:	\$ 501,811.00
Improvements:	\$5,968,503.00
Total:	\$6,470,314.00

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

Land:	\$ 501,811.00
Improvements:	\$5,820,776.00
Total:	\$6,322,587.00


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

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

Reduction based on actual Income / Expense analysis.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **February 17, 2004 at 8:30 A.M.** be vacated; or, a hearing has not yet been scheduled before the Board of Assessment Appeals. (check if appropriate.)

DATED this **27th** day of **January, 2004**

x  #1685

Ronald S. Loser, Esq.
Attorney/Agent for Petitioner



County Attorney for Respondent, 5745
Board of Equalization

Address: **1700 Lincoln St., #1300**
Denver, CO 80203

Address: **27 East Vermijo**
Colorado Springs, CO 80903

Telephone:

Telephone: **(719) 520-6485**



County Assessor

Address: **27 East Vermijo**
Colorado Springs, CO 80903

Telephone: **(719) 520-6605**

Docket Number: **40723**
StipCnty.mst

Single Schedule No.