

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner: BENCHMARK DRIVE LLC , v. Respondent: SAN MIGUEL COUNTY BOARD OF COMMISSIONERS.	
Attorney or Party Without Attorney for the Petitioner: Name: Joseph E Solomon, Esq Address: P.O. Box 1748 Telluride, CO 81435 Phone Number: (907) 728-8655	Docket Number: 41182
ORDER ON STIPULATION	

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.: 1080088303

Category: Refund/Abatement **Property Type: Vacant Land**
2. Petitioner is protesting the 2001 actual value of the subject property.

3. The parties agreed that the 2001 actual value of the subject property should be reduced to:

Total \$860,000.00

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2001 actual value of the subject property, as set forth above.

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

DATED/MAILED this 2nd day of March, 2004.

This decision was put on the record

March 1, 2004

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

Jackie J Brown
Jackie J. Brown



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 41182
Single County Schedule Number: 1080088303

STIPULATION (As to Tax Year 2001 Actual Value)

Benchmark Drive, LLC,

Petitioner,

vs.

San Miguel COUNTY BOARD OF COMMISSIONERS,

Respondent.

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BOARD OF ASSESSMENT APPEALS

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2001 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 303, Town of Mountain Village, San Miguel County, State of Colorado.

2. The subject property is classified as vacant (what type of property).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2001:

Land	\$	<u>913,750.00</u>
Improvements	\$	<u>.00</u>
Total	\$	<u>913,750.00</u>

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

Land	\$	<u>913,750.00</u>
Improvements	\$	<u>.00</u>
Total	\$	<u>913,750.00</u>

5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year 2001 actual value for the subject property:

Land	\$	<u>860,000</u>	.00
Improvements	\$	<u> </u>	.00
Total	\$	<u>860,000</u>	.00

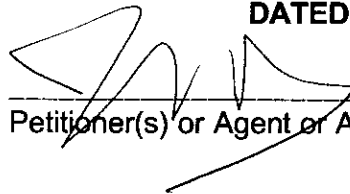
6. The valuation, as established above, shall be binding only with respect to tax year 2001.

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

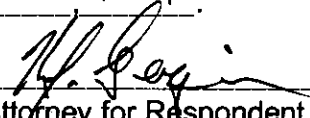
Abatement granted in 2002 due to discovery of previously
unknown topographic (site) constraint. Condition existed on
the parcel in tax year 2001 so abatement is warranted.
consistent with prior reduction.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on April 6, 2004 (date) at 1 p.m. (time) be vacated ~~or a hearing has not yet been scheduled before the Board of Assessment Appeals.~~

DATED this 18th day of February 2004.



Petitioner(s) or Agent or Attorney



County Attorney for Respondent,
Board of Commissioners

Address:

Joseph E. Solomon, Esq.

P.O. Box 1748

Telluride, CO 81435

Telephone: (970) 728-8655

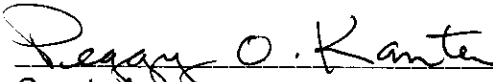
Address:

Kevin J. Geiger

P.O. Box 791

Telluride, CO 81435

Telephone: (970) 728-3879



County Assessor

Address:

Peggy Kanter, Assessor

P.O. Box 506

Telluride, CO 81435

Telephone: (970) 728-3174

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