

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>AMERICAN SODA LLP,</p> <p>v.</p> <p>Respondent:</p> <p>RIO BLANCO COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Balcomb & Green PC Christopher C. Coyle</p> <p>Address: P.O. Drawer 790 Glenwood Springs, CO 81602</p> <p>Phone Number: (970) 945-6546</p>	<p>Docket Number: 41333</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.: P001097+1

Category: Valuation **Property Type: Mixed Use**
2. Petitioner is protesting the 2003 actual value of the subject property.

3. The parties agreed that the 2003 actual value of the subject property should be reduced to:

See Attached Stipulation

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2003 actual value of the subject property, as set forth above.

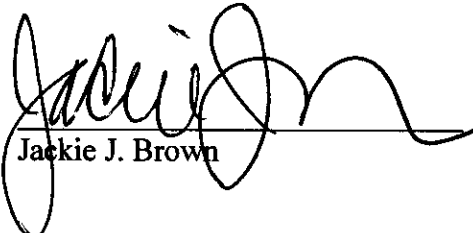
The Rio Blanco County Assessor is directed to change his/her records accordingly.

DATED/MAILED this 13th day of April, 2004.

This decision was put on the record

April 12, 2004

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


Jackie J. Brown

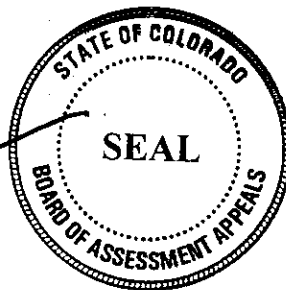
BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 41333
Multiple County Schedule Numbers: (As Set Forth in the Attached)

STIPULATION (As to Tax Year 2003 Actual Value)

American Soda, LLP
Petitioner

vs.

Rio Blanco COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2003 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 Properties subject to this Stipulation are described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.
2. The subject properties are classified as Natural Resources and Earth/Stone Equipment.
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2003.
4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Equalization.
5. After further review and negotiation, the Petitioner(s) and Respondent agree to the tax year 2003 actual values of the subject properties, as shown on Attachment C.
6. The valuations, as established on Attachment C, shall be binding with respect to only tax year 2003.

STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS

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

The Taxpayer's project consists of production facilities in
Rio Blanco County and processing, production facilities in
Garfield County. Rio Blanco County, Garfield County and the
Taxpayer have agreed upon figures that more closely resemble
the actual market value of the property

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on June 28-30, 2004 (date) at _____ (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 9th day of April, 2004

Christopher L. Coyle
Petitioner(s) or Agent or Attorney

Alan N. Hassler
County Attorney for Respondent,
Board of Equalization

Address:
Christopher L. Coyle, Esq.
Balcomb & Green
P.O. Drawer 790
Glenwood Springs, CO 81602
Telephone: (970) 945-6546

Address:
Alan N. Hassler, Esq.
Golden, Mumby, Summers, et al
P.O. Box 398
Grand Junction, CO 81502
Telephone: (970) 242-7322

Rena T. Neilson
County Assessor

Address:
Rena T. Neilson
P.O. Box 508
Meeker, CO 81641
Telephone: (970) 878-5686

Docket Number 41333

