

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**

1313 Sherman Street, Room 315
Denver, Colorado 80203

Petitioner:

AMERICAN SODA, LLP,

v.

Respondent:

GARFIELD COUNTY BOARD OF EQUALIZATION.

Attorney or Party Without Attorney for the Petitioner:

Docket Number: 41334

Name: Christopher L. Coyle, Esq.
Address: P.O. Box 790
818 Colorado Avenue
Glenwood Springs, CO 81602
Phone Number: (970) 945-6546
Attorney Reg. No.: 29669

AMENDMENT TO ORDER (On Stipulation)

THE BOARD OF ASSESSMENT APPEALS hereby amends its 2004 Order in the above-captioned appeal to reflect that the correct Docket Number is 41334.

In all other respects, the April 13, 2004 Order shall remain in full force and effect.

DATED/MAILED this 7th day of May, 2004.

This amendment was put on the record

May 5, 2004

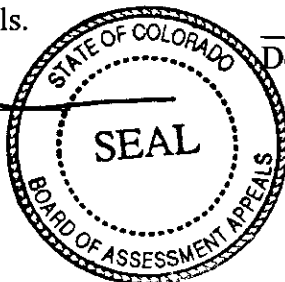
BOARD OF ASSESSMENT APPEALS

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.

Jackie J. Brown
Jackie J. Brown



Debra A. Baumbach
Debra A. Baumbach

<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>GARFIELD 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.: P004688+4

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.

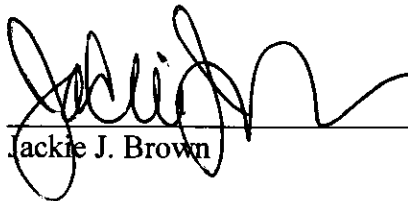
The Garfield County Assessor is directed to change his/her records accordingly.

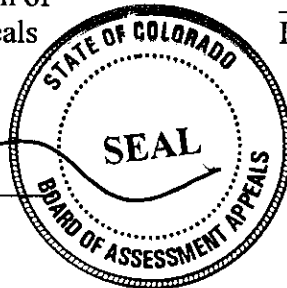
DATED/MAILED this 13th day of April, 2004.

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: 41334

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

STIPULATION (As to Tax Year 2003 Actual Value)

Petitioner American Soda LLP

vs.

Garfield 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 industrial (what type).
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.

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BOARD OF ASSESSMENT APPEALS

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

A valuation for American Soda was agreed upon by both Garfield and Rio Blanco counties that more closely resembles the market value of this project.

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

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Board of Equalization

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Telephone: 970-945-9150

Sherrin A. Frost
County Assessor

Address:
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Glenwood Springs, Co 81601
Telephone: 970-945-9134

Docket Number 41334

	<u>ORIGINAL COST</u>	<u>REPLACEMENT COST NEW</u>	<u>RCN LESS DEP</u>	<u>OBSOLESCENCE FACTOR</u>	<u>VALUE</u>	<u>ROLLBACK FACTOR</u>	<u>ACTUAL VALUE</u>	<u>ASSESSED VALUE</u>
AMERICAN SODA								
P004687								
PLANT EQUIPMENT								
5 Year Life/2001	\$300,146.96	\$300,146.96	\$258,126.39	52.67%	\$135,955.17	99%	\$134,595.62	\$39,032.73
12 Year Life/2000	\$4,013,739.01	\$4,053,876.40	\$3,729,566.29	52.67%	\$1,964,362.56	99%	\$1,944,718.93	\$563,968.49
12 Year Life/2001	\$1,895,983.48	\$1,895,983.48	\$1,820,144.14	52.67%	\$958,669.92	99%	\$949,083.22	\$275,234.13
20 Year Life/2000	\$23,578,063.00	\$24,049,624.00	\$21,163,669.30	52.67%	\$11,146,904.62	99%	\$11,035,435.55	\$3,200,276.31
20 Year Life/2001	\$3,409,492.13	\$3,409,492.13	\$3,273,112.44	52.67%	\$1,723,948.32	99%	\$1,706,708.84	\$494,945.56
M & E 20 Year Life	\$935,550.00	\$935,550.00	\$636,174.00	52.67%	\$335,072.85	99%	\$331,722.12	\$96,199.41
Computer Hardware	\$29,475.00	\$29,475.00	\$2,063.25	52.67%	\$1,086.71	100%	\$1,086.71	\$315.15
Low Value Assets	\$30,400.00	\$30,400.00	\$20,672.00	52.67%	\$10,887.94	99%	\$10,779.06	\$3,125.93
Totals							\$16,114,130.05	\$4,673,097.71

