

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>CMD REALTY INVESTMENT FUND III,</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. ROBINSON, WATERS AND O'DORISIO</p> <p>Address: 1099 18th Street, Suite 2600 Denver, Colorado 80202-1926</p> <p>Phone Number: 303-866-9400</p>	<p>Docket Number: 42314</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.: 64224-05-001

Category: Valuation Property Type: Commercial
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:

Land:	\$ 628,353.00
Improvements:	<u>\$4,588,487.00</u>
Total:	\$5,216,840.00

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

DATED/MAILED this 24th day of September, 2004.

This decision was put on the record

September 23, 2004

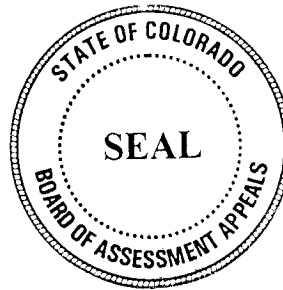
BOARD OF ASSESSMENT APPEALS

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

Judy A. Venable
Judy A. Venable



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: **42314**
Single County Schedule Number: **64224-05-001**

STIPULATION (As to Tax Year **2003** Actual Value)

CMD Realty Investment Fund III

Petitioner(s),

vs.

EL PASO COUNTY BOARD OF EQUALIZATION,

Respondent

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STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS

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 property subject to this Stipulation is described as:

LOT 1 BLK 1 ACADEMY PARK SUB 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 **2003**:

Land:	\$ 628,353.00
Improvements:	\$5,479,909.00
Total:	\$6,108,262.00

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

Land:	\$ 628,353.00
Improvements:	\$5,479,909.00
Total:	\$6,108,262.00

5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year **2003** actual value for the subject property:

Land: \$ **628,353.00**
Improvements: **\$4,588,487.00**
Total: **\$5,216,840.00**

6. The valuation, as established above, shall be binding only with respect to tax year **2003**.

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

The reduction is based on Actual 2001 Income and Expenses.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **September 10, 2004 at 8:30 AM** be vacated; or, a hearing has not yet been scheduled before the Board of Assessment Appeals. (check if appropriate.)

DATED this **1st** day of **September, 2004**

CMD Realty Investment Fund III

by

X

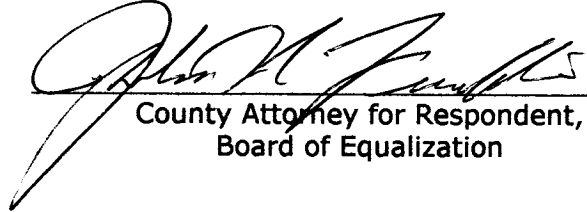
**Robinson, Waters and O'Dorisio
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Telephone:

Docket Number: **42314**
StipCnty.mst

Single Schedule No.


County Attorney for Respondent, 5747
Board of Equalization

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

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


County Assessor

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

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