

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>HORIZON MALL ASSOCIATES,</p> <p>v.</p> <p>Respondent:</p> <p>BOULDER COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Alan Poe, Esq. Holland & Hart LLP</p> <p>Address: 8390 E. Crescent Parkway, Suite 400 Greenwood Village, CO 80111</p> <p>Phone Number: (303) 290-1616</p> <p>Attorney Reg. No.: 07641</p>	<p>Docket Number: 42949</p>
<p>ORDER ON STIPULATION</p>	

THE PARTIES TO THIS ACTION entered into Stipulations, which have been approved by the Board of Assessment Appeals. A copy of the Stipulations are attached and incorporated as a part of this decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

County Schedule Nos.: R0066874, R0103642

Category: Valuations 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:

Reference Attached Stipulations

4. The Board concurs with the Stipulations.

ORDER:

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

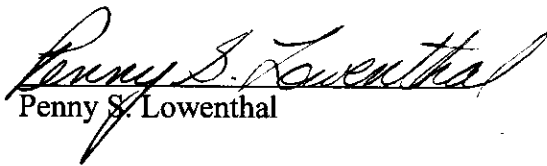
The Boulder County Assessor is directed to change his/her records accordingly.

DATED/MAILED this 1st day of July, 2004.


This decision was put on the record

June 29, 2004

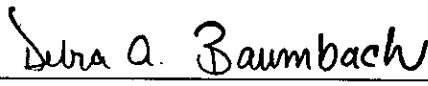
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals


Penny S. Lowenthal

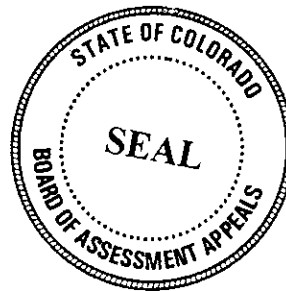
BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
DOCKET NUMBER(s):42949

County Account Numbers: R0066874

STIPULATION (As To Tax Year 2003 Actual Value)

PAGE 1 OF 2

Petitioner(s), Horizon Mall Associates

vs.

BOULDER COUNTY BOARD OF EQUALIZATION,

Respondent

04 JUN 29 PM 2:26
RECEIVED
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 follows: Parcel 2, Horizon Park Shopping Center, Replat D.
2. The subject property is classified as Commercial.
3. The County Assessor assigned the following actual value to the subject property for tax year 2003:

Land	\$235,200
Improvements	<u>\$ 74,100</u>
Total	\$309,300

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

Land	\$ 235,200
Improvements	<u>\$ 74,100</u>
Total	\$309,300

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	\$ 235,200
Improvements	<u>\$ 61,000</u>
Total	\$296,200

Petitioner's Initials MM

Date 5/18/04

Docket Number: 42949 ✓

County Schedule Numbers: R0066874

STIPULATION (As To Tax Year 2003 Actual Value)

PAGE 2 OF 2

- 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: based on the additional information that was provided.
- 8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on N/A at be vacated.
- 9. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.
- 10. This Agreement does not prohibit the Assessor from increasing or decreasing the value for the 2004 tax year due to unusual conditions. Unusual conditions are referenced in 39-1-104(11) (b) (I), Colorado Revised Statutes, and include installation of an on-site improvement, the ending of the economic life of an improvement with only salvage value remaining, the addition to or remodeling of a structure, a change of use of the land, creation of a condominium ownership, or any new regulations restricting or increasing the use of the land or a combination thereof.

DATED this 18 day of MAY, 2004.

Thomas E. Mail, Managing Partner
Petitioner(s) or Attorney
HORIZON HALL ASSOCIATES

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2460 W. 26 AVE
SUITE 250
DENVER, CO 80211

Telephone:
303 458 8800

[Signature]
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CINDY DOMENICO
Boulder County Assessor
By: [Signature]
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BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
DOCKET NUMBER(s):42949

County Account Numbers: R0103642 ✓
~~STIPULATION (As To Tax Year 2003 Actual Value)~~ PAGE 1 OF 2

Petitioner(s), Horizon Mall Associates ✓

vs.

BOULDER COUNTY BOARD OF EQUALIZATION,

Respondent

RECEIVED
04 JUN 29 PM 12:23
BOULDER COUNTY ASSESSOR

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 follows: Parcel 2, Horizon Park Shopping Center, Replat D, Imps Only.
2. The subject property is classified as Commercial.
3. The County Assessor assigned the following actual value to the subject property for tax year 2003:

Land	\$0
Improvements	<u>\$77,000</u>
Total	\$77,000

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

Land	\$ 0
Improvements	<u>\$77,000</u>
Total	\$77,000

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	\$ 0
Improvements	<u>\$74,200</u>
Total	\$74,200 ✓

Petitioner's Initials M

Date 5/18/04

Docket Number: 42949 *

County Schedule Numbers: R0103642

STIPULATION (As To Tax Year 2003 Actual Value)

PAGE 2 OF 2

- 6. The valuation, as established above, shall be binding only with respect to tax year 2003.
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- 8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on N/A at be vacated.
- 9. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.
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DATED this 18 day of MAY, 2004.

Thomas E. Mark, Managing Director
Petitioner(s) or Attorney
HORIZON MAIL ASSOCIATES

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