

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>FOX CREEK VILLAGE, LLC,</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: Barry J. Goldstein Address: 950 S. Cherry Street, #320 Denver, Colorado 80246 Phone Number: 303-757-8865 Attorney Reg. No.: 2218 E-Mail: Proptaxprotest@aol.com</p>	<p>Docket Number: 43177</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 Nos.: R0503246, R0503248, R0503249, R0503250, R0503251
R0503252, R0503253, R0503254, R0503255**

Category: Valuation Property Type: Vacant Land
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	\$1,441,100.00
Improvements	<u>0.00</u>
Total	\$1,441,100.00

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 Boulder County Assessor is directed to change her records accordingly.

DATED/MAILED this 16th day of June, 2004.

This decision was put on the record

June 15, 2004

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

BOARD OF ASSESSMENT APPEALS

Karen E. Hart
Karen E. Hart

Debra A. Baumbach
Debra A. Baumbach

Marian F. Brennan
Marian F. Brennan



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
DOCKET NUMBER(s):43177

County Account Numbers: R0503246, R0503248, R0503249, R0503250, R0503251, R0503252, R0503253,
R0503254, R0503255.
STIPULATION (As To Tax Year 2003 Actual Value) PAGE 1 OF 2

Petitioner(s), Fox Creek Village, LLC

vs.

BOULDER COUNTY BOARD OF EQUALIZATION,

Respondent

RECEIVED
JUN 16 AM 8:47
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: Lot 1, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8, Lot 9, and Lot 10, Fox Creek Village Subdivision.
2. The subject property is classified as vacant land.
3. The County Assessor assigned the following actual value to the subject property for tax year 2003:

Land	\$1,693,500
Improvements	\$ 0
Total	\$ 1,693,500

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

Land	\$1,693,500
Improvements	\$ 0
Total	\$ 1,693,500

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	\$ 1,441,100
Improvements	\$ 0
Total	\$ 1,441,100

Petitioner's Initials BQA
Date 6/14/04

Docket Number: 43177

County Schedule Numbers: ~~805032346 503248 503249 503250 503251 503252 503253 503254 503255~~

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: an adjustment was made for the subject property not having infrastructure.
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 4th day of June, 2004.

Barry J. Goldstein

Petitioner(s) or Attorney
Barry J. Goldstein #2218

Address:
950 S. Cherry St., #320
Denver, CO 80246

Telephone: (303) 757-8865

Michael Koertje

MICHAEL KOERTJE #21921
Assistant County Attorney
P. O. Box 471
Boulder, CO 80306-0471
Telephone (303) 441-3190

CINDY DOMENICO
Boulder County Assessor

By: Samuel M. Forsyth

SAMUEL M. FORSYTH
Chief Deputy Assessor
P. O. Box 471
Boulder, CO 80306-0471
Telephone: (303) 441-4844

Fox Creek Village #9922

Lot #	Lot Size	Retail	Infrastructure	Hold Period	Pres Worth	Size	New Adjusted Value	Original Value
Lot 1	41,370	\$7.00	20% 8 Year	4.79877	0.85	118,200	\$147,700	
Lot 3	53,820	\$7.00	20% 8 Year	4.79877	0.80	\$144,800	\$160,800	
Lot 4	40,346	\$7.00	20% 8 Year	4.79877	0.85	\$115,200	\$144,000	
Lot 5	33,654	\$7.00	20% 8 Year	4.79877	0.85	\$96,100	\$120,100	
Lot 6	46,297	\$7.00	20% 8 Year	4.79877	0.85	\$132,200	\$165,200	
Lot 7	52,719	\$7.00	20% 8 Year	4.79877	0.80	\$141,700	\$177,100	
Lot 8	157,896	\$7.00	0% 8 Year	4.79877	0.65	\$430,900	\$430,900	
Lot 9	48,817	\$7.00	20% 8 Year	4.79877	0.85	\$139,400	\$174,200	
Lot 10	43,000	\$7.00	20% 8 Year	4.79877	0.85	\$122,800	\$153,500	
Total						\$1,441,100	\$1,693,500	