

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 45149</b>
Petitioner: <b>HENRY A. &amp; JOAN C. BORNSTEIN ,</b>  v.  Respondent: <b>EAGLE COUNTY BOARD OF EQUALIZATION.</b>	
<b>ORDER ON STIPULATION</b>	

**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.: R011604**  
  
**Category: Valuation      Property Type: Residential**
2. Petitioner is protesting the 2005 actual value of the subject property.
3. The parties agreed that the 2005 actual value of the subject property should be reduced to:  
  

**Total Value:            \$3,000,000**  
 (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2005 actual value of the subject property, as set forth above.

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

**DATED AND MAILED** this 16th day of November 2005.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record  
November 15, 2005

---

*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

*Keela Steele*  
\_\_\_\_\_  
Keela Steele



<b>BOARD OF ASSESSMENT APPEALS</b> <b>STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, CO 80203	<b>COURT USE ONLY</b>
<b>Petitioner:</b> <b>HENRY A. &amp; JOAN C. BORNSTEIN</b>	
v.	Docket No. 45149  Schedule No(s): R011604
<b>Respondent:</b> <b>EAGLE COUNTY BOARD OF EQUALIZATION</b>	
Bryan R. Treu, No. 29577 Debbie Faber, No. 33824 Eagle County Attorneys' Office P.O. Box 850 Eagle, Colorado 81631 970.328.8685 Fax: 970.328.8699	
<b>STIPULATION</b>	

The Petitioner and the Eagle County Board of Equalization ("the Board") hereby enter into this Stipulation regarding the tax year 2005 valuation of the subject property.

The Petitioner and the Board agree and stipulate as follows:

1. The property subject to this Stipulation is described as:
  - Parcel No. 210513205004
  - Schedule No. R011604
2. The subject property is classified as Residential.
3. The County Assessor assigned the following adjusted actual value to the subject property for tax year 2005:
 

Land Value	\$ 1300000
Improvement Value	\$ 1928590
Total	\$ 3228590
4. After a timely appeal to the Board of Equalization, the Board of Equalization valued the subject property as follows:

Land Value	\$ 1300000
Improvement Value	\$ 1928590
Total	\$ 3228590

5. After further review and negotiation, Petitioner and Board agree to the tax year 2005 actual value for the subject property as follows:

Land Value	\$ 1300000
Improvement Value	\$ 1700000
Total	\$ 3000000


6. The valuation shall be binding with respect to only tax year 2005.

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

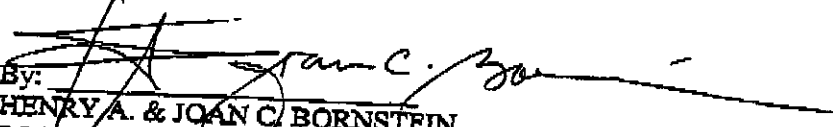
It was revealed after a site inspection was completed by an appraiser that a portion of the subject building was being improperly valued. Value was recalculated to reflect below grade areas in the building which were formally valued at the above grade price per square foot. Further reduction in value was negotiated with the Attorney's Office.

DATED this 14<sup>th</sup> day of November, 2005.

EAGLE COUNTY ATTORNEYS' OFFICE

By:   
 Bryan R. Treu, No. 29577  
 Debbie J. Faber, No. 33824

Petitioner:

By:   
 HENRY A. & JOAN C. BORNSTEIN  
 PO BOX 8387  
 AVON, CO 81620 11/9/05