

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 47215
Petitioner: FOREST PARK REALTY INVESTMENTS, v. Respondent: DENVER COUNTY BOARD OF EQUALIZATION.	
ORDER ON STIPULATION	

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.: 06181-00-022-000+1
 Category: Valuation Property Type: Commercial Real
2. Petitioner is protesting the 2006 actual value of the subject property.
3. The parties agreed that the 2006 actual value of the subject property should be reduced to:
 Total Value: \$280,900
 (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2006 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 12th day of November 2008.

BOARD OF ASSESSMENT APPEALS

This decision was put on record
November 10, 2008

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

Toni Rigiroszi
Toni Rigiroszi



BOARD OF ASSESSMENT APPEALS STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 46238 / 47215 Schedule Number: 06181-00-021 06181-00-022
Petitioner: FOREST PARK REALTY INVESTMENTS v. Respondent:	
DENVER COUNTY BOARD OF EQUALIZATION Attorneys for Denver County Board of Equalization City Attorney Max Taylor #35403 Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3275 Facsimile: 720-913-3180	
STIPULATION (AS TO TAX YEAR 2005 & 2006 ACTUAL VALUE)	

Petitioner, FOREST PARK REALTY INVESTMENTS, and Respondent, DENVER COUNTY BOARD OF EQUALIZATION, hereby enters into this Stipulation regarding the tax year 2005 & 2006 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

The Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as:
 5250 & 5350 Leetsdale Drive
 Denver, Colorado 80246
2. The subject property is classified as commercial property.
3. The County Assessor originally assigned the following actual value on the subject property for tax year 2005 & 2006.

06181-00-021-000

Land	\$ 1,907,300.00
Improvements	\$ <u>3,714,300.00</u>
Total	\$ 5,621,600.00

6181-00-022-000

Land	\$ 190,700.00
Improvements	\$ <u>90,200.00</u>
Total	\$ 280,900.00

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

Land	\$ 1,907,300.00
Improvements	\$ <u>3,714,300.00</u>
Total	\$ 5,621,600.00

Land	\$ 190,700.00
Improvements	\$ <u>90,200.00</u>
Total	\$ 280,900.00

5. After further review and negotiation, the Petitioner and Denver County Board of Equalization agree to the following actual value for the subject property for tax year 2005 & 2006.

Land	\$ 1,907,300.00
Improvements	\$ <u>3,811,800.00</u>
Total	\$ 4,718,100.00

Land	\$ 190,700.00
Improvements	\$ <u>90,200.00</u>
Total	\$ 280,900.00

6. The valuations, as established above, shall be binding only with respect to tax year 2005 & 2006

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

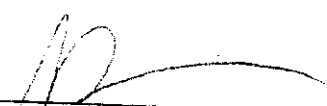
The assessor recognized excess vacancy and declining rents.


8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on July 2, 2008 at 8:30 AM be vacated.

DATED this 20th day of October, 2008.

Agent/Attorney/Petitioner

Denver County Board of Equalization

By: 
~~Matthew W. Poling~~ Ian James
 1125 17th Street, Suite 1575
 Denver, CO 80202
 (303) 308-2191

By: 
 Max Taylor #35403
 201 West Colfax Avenue, Dept. 1207
 Denver, CO 80202
 Telephone: 720-913-3275
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 Docket No: 46238

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**
1313 Sherman Street, Room 315
Denver, Colorado 80203

Docket Number: 46238
and 47215

Petitioner:

FOREST PARK REALTY INVESTMENTS

v.

Respondent:

DENVER COUNTY BOARD OF EQUALIZATION

AMENDMENT TO ORDER (On Stipulation)

THE BOARD OF ASSESSMENT APPEALS hereby amends its November 10, 2008 Order in the above-captioned appeal to reflect that the correct stipulated amount should be \$4,999,000.00.

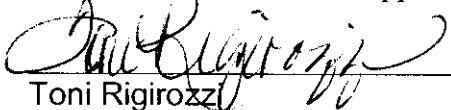
In all other respects, the November 10, 2008 Order shall remain in full force and effect.

DATED/MAILED this 28th day of January, 2009.


This amendment was put on the record


January 28, 2009

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


Toni Rigirozzi

BOARD OF ASSESSMENT APPEALS


Karen E. Hart


Debra A. Baumbach



2009 JAN 14 10:12:12

BOARD OF ASSESSMENT APPEALS STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner: FOREST PARK REALTY INVESTMENTS v. Respondent:	Docket Number: 46238 / 47215
DENVER COUNTY BOARD OF EQUALIZATION Attorneys for Denver County Board of Equalization David Fine City Attorney Max Taylor #35403 Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3275 Facsimile: 720-913-3180	Schedule Number: 06181-00-021 06181-00-022
JOINT MOTION CONCERNING A CLERICAL MISTAKE OR OVERSIGHT IN THE ORDER DATED NOVEMBER 10, 2008	

Respondent Denver County Board of Equalization ("Denver") and Forest Park Realty Investments (collectively "Parties") pursuant to Rule 28(f) of the Board of Assessment Appeals' ("BAA") Procedures of Practice and Procedures of Review moves the BAA for reconsideration of its Order of November 12, 2008 in the above-captioned case, and as grounds therefore, states the following:

1. By Order dated November 10, 2008 ("Order"), the BAA directed Denver to reduce the value assigned to the subject property for the 2006 tax years to \$280,900.
2. The Stipulation filed with the BAA set forth the value of the property as follows:

Land	\$1,907,300.00	Land	\$190,700.00
Improvements	\$3,811,800.00	Improvements	\$90,200.00
Total	\$4,718,100.00	Total	\$280,900.00

\$ 2,810,300 NY JS
 (Handwritten note with an arrow pointing to the Improvements value in the first column)

3. The Parties agree that the value assigned to the property should be \$4,999,000.00.

4. The Parties believe that the stipulation was unclear thus causing the BAA to mistakenly assign a value of \$280,000.00. Therefore, the Parties respectfully requests that the BAA modify its order and assign a value of \$4,999,000.00 to the property.

For the foregoing reasons, the Parties respectfully requests that the BAA reconsider the Order, and upon reconsideration modify the Order to uphold the value requested in this motion.

Dated this 26th day of January, 2009.

Agent/Attorney/Petitioner

Denver County Board of Equalization

By: 

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Denver, CO 80202
(303) 308-2191


By: 

Max Taylor #35403
201 West Colfax Ave., Dept. 1207
Denver, CO 80202
(720) 913-8034

CERTIFICATE OF SERVICE

I hereby certify that on this 26 day of January, 2009, a true and correct copy of the foregoing **RESPONDENT'S MOTION CONCERNING A CLERICAL MISTAKE OR OVERSIGHT IN THE ORDER DATED November 10, 2008** was served on the following by U.S. Mail, postage prepaid, to:

Ian James
1125 17th Street, Suite 1575
Denver, CO 80202



City Attorney's Office