

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 47820</b>
Petitioner: <b>TOMAH ASSOCIATES LLC,</b>  v. Respondent: <b>EL PASO COUNTY BOARD OF COMMISSIONERS.</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.: 63211-06-019**

**Category: Abatement      Property Type: Commercial Real**
2. Petitioner is protesting the 05-06 actual value of the subject property.
3. The parties agreed that the 05-06 actual value of the subject property should be reduced to:  

**Total Value:            \$640,400**

(Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 05-06 actual value of the subject property, as set forth above.

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

**DATED AND MAILED** this 18th day of July 2007.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record

July 17, 2007

---

*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

*Heather Wilcox*

---

Heather Wilcox



**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: **47820**  
Single County Schedule Number: **63211-06-019**

---

---

STIPULATION (As to Abatement/Refund For Tax Year **2006**)

---

---

**Tomah Associates, LLC**

Petitioner(s),

vs.

**EL PASO COUNTY BOARD OF COMMISSIONERS,**

Respondent

---

---

47820  
63211-06-019  
2006

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year **2006** valuation of the subject property, and jointly move the Board of Assessment Appeals to enter it's 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 2 BLK 1 MPA 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 **2006**:

Land:	<b>\$179,220.00</b>
Improvements:	<b>\$594,830.00</b>
Total:	<b>\$774,050.00</b>

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

Land:	<b>\$179,220.00</b>
Improvements:	<b>\$543,840.00</b>
Total:	<b>\$723,060.00</b>

5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year **2006** actual value for the subject property:

Land:	<b>\$179,220.00</b>
Improvements:	<b>\$461,180.00</b>
Total:	<b>\$640,400.00</b>

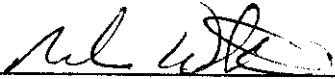
6. The valuation, as established above, shall be binding only with respect to tax year **2006**.

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

**Reduction based on actual 2003 and 2004 Income and Expenses.**

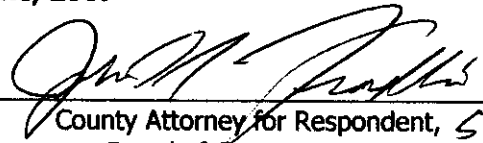
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on \_\_\_\_\_ at \_\_\_\_\_  
be vacated; or,  (check if appropriate) a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this **6th** day of **June, 2007**

x   
\_\_\_\_\_  
Petitioner(s)  
By: **1<sup>st</sup> Net Real Estate Services, Inc.**  
**Mike Walter, agent**

Address: **3333 S. Wadsworth Blvd., Suite 200**  
**Lakewood, CO 80227**

Telephone: **(720) 962-5750**

  
\_\_\_\_\_  
County Attorney for Respondent, **5747**  
Board of Commissioners

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**

Docket Number: **47820**  
StipCnty.Aba

**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: **47820**  
Single County Schedule Number: **63211-06-019**

**STIPULATION (As to Abatement/Refund For Tax Year 2005)**

**Tomah Associates, LLC**

Petitioner(s),

vs.

**EL PASO COUNTY BOARD OF COMMISSIONERS,**

Respondent

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2005 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter it's 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 2 BLK 1 MPA 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 2005:

Land:	<b>\$179,220.00</b>
Improvements:	<b>\$594,830.00</b>
Total:	<b>\$774,050.00</b>

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

Land:	<b>\$179,220.00</b>
Improvements:	<b>\$543,840.00</b>
Total:	<b>\$723,060.00</b>

5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year 2005 actual value for the subject property:

Land:	\$179,220.00
Improvements:	\$461,180.00
Total:	\$640,400.00


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

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

**Reduction based on actual 2003 and 2004 Income and Expenses.**

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on \_\_\_\_\_ at \_\_\_\_\_ be vacated; or,  (check if appropriate) a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 6th day of June, 2007

  
 \_\_\_\_\_  
 Petitioner(s)  
 By: 1<sup>st</sup> Net Real Estate Services, Inc.  
 Mike Walter, agent

Address: 3333 S. Wadsworth Blvd., Suite 200  
Lakewood, CO 80227

Telephone: (720) 962-5750

  
 \_\_\_\_\_  
 County Attorney for Respondent, 5749  
 Board of Commissioners

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

Docket Number: 47820  
StipCnty.Aba