

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 50653
Petitioner: DAVID H. SIMON 1971 TRUST & PETER N. SIMON 1971 TRUST, 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.: 05122-21-021-000

Category: Valuation Property Type: Commercial Real
2. Petitioner is protesting the 2008 actual value of the subject property.
3. The parties agreed that the 2008 actual value of the subject property should be reduced to:

Total Value: \$5,300,000

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

ORDER:

Respondent is ordered to reduce the 2008 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 20th day of April 2009.

BOARD OF ASSESSMENT APPEALS

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 Rigirozzi

Toni Rigirozzi



2009 APR 17 PM 1:12

BOARD OF ASSESSMENT APPEALS STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner: DAVID H. SIMON 1971 TRUST & PETER N. SIMON 1971 TRUST	Docket Number: 50653
v.	Schedule Number: 05122-21-021-000
Respondent: BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER	
Attorneys for Board of Equalization of the City and County of Denver City Attorney Eugene J. Kottenstette #6391 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 2008 ACTUAL VALUE)	

Petitioner, DAVID H. SIMON 1971 TRUST & PETER N. SIMON 1971 TRUST, and Respondent, BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER, hereby enters into this Stipulation regarding the tax year 2008 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:

265-299 Detroit Street
Denver, Colorado 80206

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 2008.

Land	\$	2,031,300.00
Improvements	\$	<u>3,680,400.00</u>
Total	\$	5,711,700.00

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

Land	\$	2,031,300.00
Improvements	\$	<u>3,680,400.00</u>
Total	\$	5,711,700.00

5. After further review and negotiation, the Petitioner and Board of Equalization of the City and County of Denver agree to the following actual value for the subject property for tax year 2008.

Land	\$	2,031,300.00
Improvements	\$	<u>3,268,700.00</u>
Total	\$	5,300,000.00

6. The valuations, as established above, shall be binding only with respect to tax year 2008.

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

New financial data which became available regarding the property's base period operations indicated the need for recognition of less income than was originally projected.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on April 24, 2009 at 1:00 PM be vacated.

DATED this 9 day of APRIL, 2009.

Agent/Attorney/Petitioner

Board of Equalization of the City and
County of Denver

By: 

Steve Letman

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