

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 50942</b>
Petitioner: <b>HALLE PROPERTIES LLC,</b>  v.  Respondent: <b>EL PASO COUNTY BOARD OF EQUALIZATION.</b>	
<b>ORDER ON WITHDRAWAL</b>	

The Board received Petitioner's request to withdraw the above-captioned appeal on May 15, 2009. The Board has approved Petitioner's request.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject property is described as follows:  

**County Schedule No.: 63014-05-014**

**Category: Valuation      Property Type: Commercial Real**
2. Petitioner is protesting the 2008 actual value of the subject property.

**ORDER:**

Petitioner's request for withdrawal is granted; therefore, the Board will take no further action on this matter.

DATED AND MAILED this 18th day of May 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 Rigiroszi*

Toni Rigiroszi



*If at any time you decide you DO NOT wish to pursue your appeal and choose to withdraw, please sign this letter and return it to the Board of Assessment Appeals.*

Ronald S. Loser Esq.  
ROBINSON WATERS & O'DORISIO  
1099 18TH STREET, SUITE 2600  
Denver, CO 80202-1926

STATE OF COLORADO  
BD OF ASSESSMENT APPEALS  
2009 MAY 15 PM 12:30

Date: \_\_\_\_\_

Docket No.: 50942  
Hearing Date: May 26, 2009

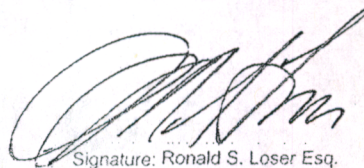
To: Board of Assessment Appeals  
1313 Sherman Street, Room 315  
Denver, CO 80203

Via Facsimile: 303.866.4485

I no longer wish to pursue this matter and request that my property tax appeal be withdrawn. I understand that, by withdrawing this appeal, I relinquish all rights to obtaining a reduction in value for the subject property for tax year(s) 2008. I understand that this withdrawal letter should not be mailed or faxed if I have reached an agreement (stipulation) with the El Paso County Board Of Equalization resulting in a reduction in value.

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was mailed, faxed, or hand delivered to the El Paso County Board Of Equalization located at 27 East Vermijo Ave, Colorado Springs, CO, 80903 on the date referenced above.

 #1685  
Signature: Ronald S. Loser Esq.

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

**Docket No.: 50942**

Petitioner:

**Halle Properties LLC**

v.

Respondent

**EL PASO COUNTY BOARD OF EQUALIZATION.**

**ORDER RESCINDING ORDER ON WITHDRAWAL**

On May 18, 2009, in conjunction with a withdrawal letter received May 15, 2008, the Board of Assessment Appeals issued an Order on Withdrawal. On June 8, 2009, the Agent for the Petitioner and Respondent advised the Board in writing that the withdrawal letter was sent in error by the Agent for the Petitioner.

**ORDER:**

The Order on Withdrawal dated May 18, 2009 is hereby rescinded.

**DATED and MAILED** this 8th day of June, 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



**BOARD OF ASSESSMENT APPEALS,  
STATE OF COLORADO**

1313 Sherman Street, Room 315  
Denver, Colorado 80203

**Petitioner:**

HALLE PROPERTIES LLC.

v.

**Respondent:**

EL PASO COUNTY BOARD OF EQUALIZATION.

Ronald S. Loser, #1685  
Robinson Waters & O'Dorisio, P.C.  
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Telephone No.: 303-297-2600  
Facsimile No.: 303-297-2750  
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*Attorneys for Petitioner*

Andrew Gorgey, #28923  
First Assistant County Attorney, Civil Division  
27 E. Vermijo Ave., Third Floor  
Colorado Springs, CO 80903  
Telephone No.: 719-520-7013  
*Attorneys for Respondent*

**Docket Number: 50942**

2009 JUN - 8 AM 10: 07

STATE OF COLORADO  
BD OF ASSESSMENT APPEALS

**JOINT STIPULATED MOTION  
TO SET ASIDE ORDER ON WITHDRAWAL  
AND ENTER ORDER ON STIPULATION**

**COME NOW** Petitioner and Respondent ("the Parties") by and through their counsel and hereby submit this Joint Stipulated Motion to Set Aside Order on Withdrawal and Enter Order on Stipulation. In support whereof the Parties state as follows:

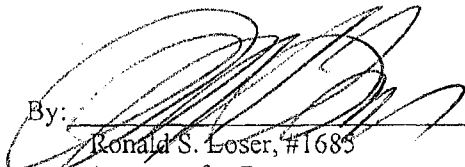
1. On or around September 4, 2008, Petitioner filed a petition with the Board of Assessment Appeals ("BAA") appealing the valuation of certain commercial property in El Paso County, Colorado.
2. On February 5, 2009, the BAA sent a Notice of Hearing to the Parties that the BAA would hear the matter on May 26, 2009.

3. The Parties reached a stipulation as to valuation, which was reduced to writing, signed by them, and submitted to the BAA by the Petitioner on or around April 23, 2009.
4. On May 15, 2009, Petitioner, in error, filed a Withdrawal Notice concerning this appeal.
5. Accordingly, the BAA entered its Order on Withdrawal on May 18, 2009 but took no action on the stipulation.
6. The Parties respectfully request that the Order on Withdrawal be set aside and vacated and that their original stipulation be approved thereby resolving this appeal without the need for hearing.

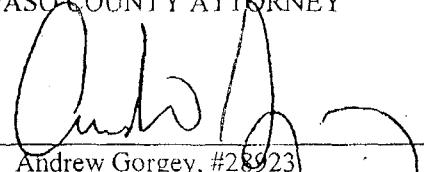
**WHEREFORE**, Petitioner and Respondent respectfully request that the Order on Withdrawal dated May 18, 2009, in the above-captioned matter be SET ASIDE and VACATED and that the BAA accept and APPROVE the Parties' April 23, 2009 stipulation and enter an Order on Stipulation.

Respectfully submitted this 8<sup>th</sup> day of June, 2009.

ROBINSON WATERS & O'DORISIO, P.C.

By:   
Ronald S. Loser, #1685  
*Attorneys for Petitioner*

EL PASO COUNTY ATTORNEY

By:   
Andrew Gorgey, #28923  
First Assistant County Attorney  
*Attorneys for Respondent*



**ORDER:**

Respondent is ordered to reduce the 2008 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 9th day of June 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





**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: **50942**  
Single County Schedule Number: **63014-05-014**

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STIPULATION (As to Tax Year **2008** Actual Value)

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**Halle Properties LLC**

Petitioner(s),

vs.

**EL PASO COUNTY BOARD OF EQUALIZATION,**

Respondent

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STATE OF COLORADO  
BOARD OF ASSESSMENT APPEALS  
2009 MAY 22 PM 1:37

Petitioner(s) and Respondent hereby enter 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.

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

1. The property subject to this Stipulation is described as:

**LOT 8 POWERS POINTE CENTER SUB FIRST REPLAT**

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 **2008**:

Land:	<b>\$ 505,296.00</b>
Improvements:	<b>\$ 638,604.00</b>
Total:	<b>\$1,143,900.00</b>

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

Land:	<b>\$ 505,296.00</b>
Improvements:	<b>\$ 638,604.00</b>
Total:	<b>\$1,143,900.00</b>

5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year **2008** actual value for the subject property:

Land:	<b>\$505,296.00</b>
Improvements:	<b>\$344,704.00</b>
Total:	<b>\$850,000.00</b>


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

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

**After further review, market data for the base year period resulted in a lower value for the property.**

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **May 26, 2009 at 1:00 PM** be vacated; or, \_\_\_ (check if appropriate) a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this **23rd** day of **April, 2009**

  
\_\_\_\_\_  
Petitioner(s)  
By: **Robinson Waters & O'Dorisio**  
**Ronald S. Loser, Esq.**

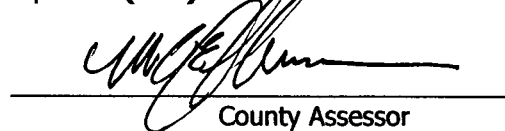
  
\_\_\_\_\_  
County Attorney for Respondent,  
Board of Equalization

Address: **1099 18<sup>th</sup> Street, Suite 2600**  
**Denver, CO 80202-1926**

Address: **27 East Vermijo**  
**Colorado Springs, CO 80903**

Telephone:

Telephone: **(719) 520-6485**

  
\_\_\_\_\_  
County Assessor

Address: **27 East Vermijo**  
**Colorado Springs, CO 80903**

Telephone: **(719) 520-6605**

Docket Number: **50942**  
StipCnty.mst