

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 51656
Petitioner: GARDENSWARTS INVESTMENT CO LLC, v. Respondent: LA PLATA 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.: R005775+1

Category: Valuation Property Type: Commercial Real
2. Petitioner is protesting the 2009 actual value of the subject property.
3. The parties agreed that the 2009 actual value of the subject property should be reduced to:

Total Value: \$3,950,000

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

ORDER:

Respondent is ordered to reduce the 2009 actual value of the subject property, as set forth above.

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

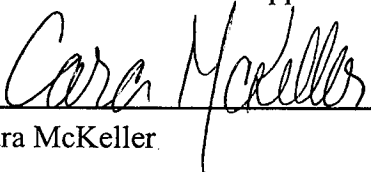
DATED AND MAILED this 8th day of June 2010.

BOARD OF ASSESSMENT APPEALS




Karen E. Hart

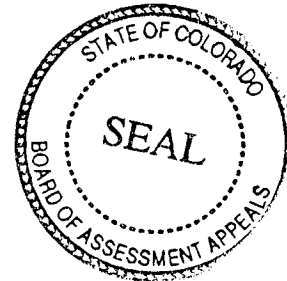
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.



Cara McKeller



Debra A. Baumbach



2010 JUN -4 Fri 2:27

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 51656
Multiple County Schedule Numbers: (As Set Forth in the Attached)

STIPULATION (As to Tax Year 2009 Actual Value)

~~PROPERTY TAX ADJUSTMENT SPECIALISTS, INC.~~ ^B

Gardenswartz Investment CO LLC
Petitioner

vs.

LA PLATA COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2009 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 Properties subject to this Stipulation are described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.
2. The subject properties are classified as RETAIL (what type).
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2009.
4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Equalization.
5. After further review and negotiation, the Petitioner(s) and Respondent agree to the tax year 2009 actual values of the subject properties, as shown on Attachment C.
6. The valuations, as established on Attachment C, shall be binding with respect to only tax year 2009.

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

AGENT PROVIDED CORRECTED INCOME AND EXPENSE DATA AND IS NOW USING A MARKET DERIVED CAP RATE FOR THE INCOME APPROACH.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on JUNE 24 (date) at 8:30 AM (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 2nd day of JUNE, 2010.

[Signature]
Petitioner(s) or Agent or Attorney
ELITE PROPERTY SERVICES, INC
Address:

6000 E. EVANS AVE., Ste 1-426
DENVER, CO 80222
Telephone: 303-355-5871

[Signature]
County Attorney for Respondent,
Board of Equalization
Address:

1099 Main Avenue, Suite 313
Durango, CO 81301
Telephone: 970 382-8600

[Signature]
County Assessor
Address:
P.O. Box 3339
Durango, CO 81302
Telephone: 970-302-6235

Docket Number 51656

