

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 51757
Petitioner: KS RURAL LLC, v. Respondent: CHAFFEE 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.: R327117100116

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: \$563,685
(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 Chaffee County Assessor is directed to change his/her records accordingly.

DATED AND MAILED this 22nd day of September 2010.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

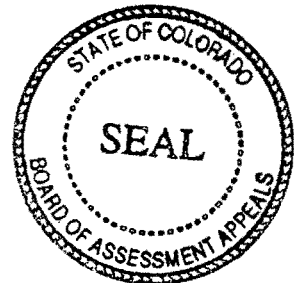
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

[Handwritten Signature]

Cara McKeller

Debra A. Baumbach

Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO

Docket Number: 51757
Single County Schedule Number: R327117100116

2010 SEP 17 PM 1:00

STIPULATION (As to Tax Year 2009 Actual Value)

KS RURAL LLC

Petitioner,

vs.

CHAFFEE 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 property subject to this stipulation is described as:
2022 sq. ft. convenience store located on 24,263 sq. ft. site

2. The subject property is classified as Commercial (what type of property).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2009:

Land	\$	<u>302,682.00</u>
Improvements	\$	<u>413,676.00</u>
Total	\$	<u>716,358.00</u>

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

Land	\$	<u>302,682.00</u>
Improvements	\$	<u>413,676.00</u>
Total	\$	<u>716,358.00</u>

5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2009 actual value for the subject property:

Land	\$	<u>302,682.00</u>
Improvements	\$	<u>261,003.00</u>
Total	\$	<u>563,685.00</u>

6. The valuation, as established above, shall be binding only with respect to tax year 2009.

7. Brief narrative as to why the reduction was made:
To take into account the income approach

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on Sept. 28, 2010 (date) at 8:30 AM (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 13th day of September, 2010

Scott W. Smith, Manager
Petitioner(s) or Agent or Attorney

[Signature]
County Attorney for Respondent,
Board of Equalization

Address:
c/o Scott W. Smith
1202 Bergen Pkwy., #303
Evergreen, CO 80439
Telephone: _____

Address:
104 Crestone Ave.
PO Box 699
Salida, CO 81201
Telephone: 719.530.5564

Brenda J. Mosby
County Assessor

Address:
104 Crestone Ave.
PO Box 699
Salida, CO 81201
Telephone: 719.539.4016

Docket Number 51757

CHAFFEE COUNTY ASSESSOR PROPERTY PROFILE

Account #: R327117100116

Local #:

Parcel #: 327117100116

Appr Year: 2010	Levy: 45.93	# of Bldgs: 1	Created On:
Tax Dist: 03	Map #: 3271 171	LEA: 2301	Active On: 20100908
Assign To: KEVIN	Initials:	Acct Type: Commercial	Inactive On:
			Last Updated: 09/08/2010

Owner's Name and Address

KS RURAL LLC
C/O EVERGREEN OIL
1202 BERGEN PARKWAY NO 303
EVERGREEN, CO 80439

Property Address

Street: 548 S HWY 24
City: BUENA VISTA

Business Name

STOP N' SAVE

Sales Summary

Sale Date	Sale Price	Deed Type	Reception #	Book	Page #	Grantor
01/01/2003	\$0	Quit Claim	332079			KRISTIN A SMITH
01/01/2003	\$0	Quit Claim	332084			SMITH SCOTT W
01/01/2003	\$0	Quit Claim	331839			AKS LTD LIABILITY COMPANY
01/01/2003	\$0	Quit Claim	331840			AKS LIMITED LIABILITY COMPANY
01/01/2003	\$0	Quit Claim	332078			BADRENA WENDY J
01/01/2003	\$0	Quit Claim	332085			SMITH ANDREW K JR
01/01/2003	\$0	Quit Claim	332080			SMITH ANDREW K JR
01/01/2003	\$0	Quit Claim	332081			SMITH SCOTT W
01/01/2003	\$0	Quit Claim	332082			SMITH KRISTIN 010103
01/01/2003	\$0	Quit Claim	332083			BADRENA WENDY J
10/31/1993	\$0	Needs Research	C5294	540	526-8	SMITH
09/27/1993	\$22,500	Needs Research	C18144	539	105	MARTICH THOMAS J

Legal

PT LOT 1 FARWELL SUB
BUENA VISTA
B424 P253 B424 P816 B484 P22 B539 P105 B540 P526
REC 331839 331840 332078 332079 332080 332081 332082 332083 332084 332085

Section	Township	Range	Qtr	QtrQtr	Government Lot	Government Tract
17	14 S	78 W	NE			

Subdivision Information

Sub Name	Block	Lot	Tract
SW Buena Vista		1	

Land Valuation Summary

Land Type	Abst Cd	Value By	Net SF	Measure	# of Units	Value/Unit	Actual Val	Asmt %	Assessed Val
Commercial	2112	MRA	24,263	Square Feet	24,263. 280000	\$12.47	\$302,682.00	29.00%	\$87,780.00
Land Subtotal:					24,263.28		\$302,682.00		\$87,780.00

**CHAFFEE COUNTY ASSESSOR
PROPERTY PROFILE**

Account #: R327117100116

Local #:

Parcel #: 327117100116

Land Attributes

Attribute	Description	Adjustment
Com BV Hwy	Zone 2	1

Buildings Valuation Summary

Bldg #	Property Type	Abst Code	Occupancy	Actual Value	Asmt %	Assessed Val*
1	Commercial	2212	419 - Convenience Store	\$261,003	0.2900	\$75,691
Improvement Subtotal:				\$261,003		\$75,691

Total Property Value

Total Value:	\$563,685	\$163,470
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*Approximate Assessed Value

CHAFFEE COUNTY ASSESSOR PROPERTY PROFILE

Account #: R327117100116

Local #:

Parcel #: 327117100116

Bldg #:	1		Landscaping \$:
Property	Commercial		0
Quality:	Average		
Condition:	Average	Nbhd: 2200	
Perimeter:	228	Nbhd Ext: 01	
% Complete:	100.00%	Nbhd Adj: 1	

Occupancy Summary

Occupancy: Convenience Store	1
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Built As Summary

Built As:	Convenience Store	Year Built:	1966
Construction Type:	Wood Frame	Year Remodeled:	0
HVAC:	Forced Air	% Remodeled:	
Interior Finish:		Adj Year Blt:	0
Roof Cover:		Effective Age:	24
Built As SF:	2022		
# of Baths:	0		
# of Bdrms:	0		
# of Stories:	1		
Story Height:	10		
Sprinkler SF:	0	Diameter:	0
Capacity:	0	Height:	0

Improvement Summary

Building # 1	Units
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Add On

C WIC 401 TO 999 SF Z	510
C CAR WASH Z	1043
C CANOPY STEEL GOOD Z	2291
C CONCRETE SLAB GOOD Z	2874
C ASPHALT GOOD Z	12000

User

Primary	1
SD3	1

Improvements Value Summary

IMPNO: 1

Other Obs %: -0.12

**CHAFFEE COUNTY ASSESSOR
PROPERTY PROFILE**

Account #: R327117100116

Local #:

Parcel #: 327117100116

Market/SF: \$129.08