

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 51991</b>
Petitioner: <b>HOLCIM (US) INC.,</b>  v.  Respondent: <b>FREMONT COUNTY BOARD OF EQUALIZATION.</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.: 71400**  
  
**Category: Valuation      Property Type: Commercial Personal**
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:            \$12,652,938**  
 (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 Fremont County Assessor is directed to change his/her records accordingly.

**DATED AND MAILED** this 8th day of July 2011.

**BOARD OF ASSESSMENT APPEALS**

*Diane M DeVries*

\_\_\_\_\_  
Diane M. DeVries

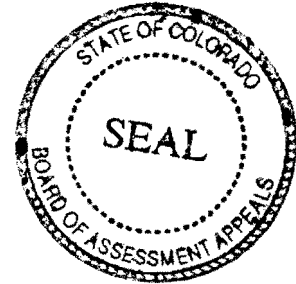
*Debra A Baumbach*

\_\_\_\_\_  
Debra A. Baumbach

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

*CM*

\_\_\_\_\_  
Cara McKeller



<b>Board of Assessment Appeals</b> <b>State of Colorado</b> 1313 Sherman Street, Room 315 Denver, CO 80203 Telephone: (303) 866-5820	2011 JUL -5 PM 3: 13
<b>HOLCIM (US), INC.,</b>  <b>Plaintiff,</b>  v.  <b>FREMONT COUNTY BOARD OF EQUALIZATION,</b>  <b>Respondent.</b>	<b>COURT USE ONLY</b>
<b>Brenda L. Jackson</b> <b>Fremont County Attorney</b> 615 Macon Ave., Suite 211 Canon City, CO 81212 719.276-7499 fax: 719.276-7497 Attorney Registration #15172	<b>Docket Number: 51991</b>  <b>County Schedule No: 71400P</b>  <b>TAX YEAR: 2009</b>
<b>STIPULATION REGARDING PERSONAL PROPERTY</b>	

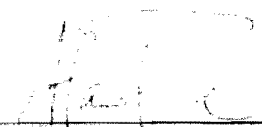
Petitioners and Respondent hereby enter into this Stipulation regarding the tax year 2009 valuation of the subject personal property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

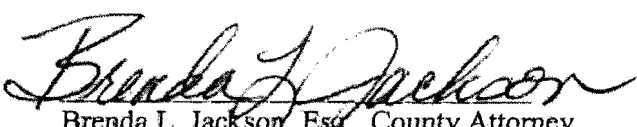
Petitioners and Respondent agree and stipulate as follows:

1. Actual value assigned to schedule number 71400P:  
  
2009: \$12,652,938
  
2. The valuation, as established in this Stipulation shall be binding only with respect to tax year 2009.
  
3. The parties are agreeing to the actual value set forth in this Stipulation as a compromise of disputed issues, in order to avoid the necessity of further litigation with respect to those issues for tax year 2009.

4. The parties agree that the hearing scheduled before the Board of Assessment Appeals on October 11, 2011 at 8:30 a.m. (12 hours per side) should be vacated.

DATED this 5<sup>th</sup> <sup>Day</sup> day of June, 2011.

  
\_\_\_\_\_  
Alan Poe, Esq.  
Holland & Hart, LLP  
for Petitioner Holcim (US), Inc.  
6380 South Fiddlers Green Circle, Suite 500  
Greenwood Village, CO 80111  
Telephone: 303/290-1616  
[apoe@hollandhart.com](mailto:apoe@hollandhart.com)

  
\_\_\_\_\_  
Brenda L. Jackson, Esq., County Attorney  
for Respondent, Board of Equalization  
615 Macon Ave., Ste 211  
Canon City, CO 81212  
Telephone: 719/276-7499  
[brenda.jackson@fremontco.com](mailto:brenda.jackson@fremontco.com)

(71400 P 2009)