

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 53670</b>
Petitioner: <b>DAR BRIARGATE LLC,</b>  v. Respondent: <b>EL PASO 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.: 62333-04-001**

**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:            \$9,100,000**

(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 El Paso County Assessor is directed to change his/her records accordingly.

**DATED AND MAILED** this 6th day of April 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.

*Melissa Nord*

Melissa Nord

*Debra A. Baumbach*

Debra A. Baumbach

**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: **53670**  
Single County Schedule Number: **62333-04-001**

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STIPULATION (As to Tax Year **2009** Actual Value)

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**DAR Briargate LLC**

Petitioner(s),

vs.

**EL PASO COUNTY BOARD OF EQUALIZATION,**

Respondent

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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:

**LOT 1 BLK 1 BRIARGATE BUSINESS CAMPUS FIL NO 2 COLO SPGS**

2. The subject property is classified as **Office / Industrial - Commercial** property.

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

Land:	<b>\$ 1,635,807.00</b>
Improvements:	<b>\$ 9,353,193.00</b>
Total:	<b>\$10,989,000.00</b>

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

Land:	<b>\$ 1,635,807.00</b>
Improvements:	<b>\$ 9,353,193.00</b>
Total:	<b>\$10,989,000.00</b>

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:

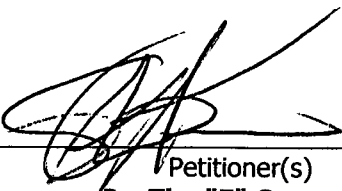
Land:	<b>\$1,635,807.00</b>
Improvements:	<b>\$7,464,193.00</b>
Total:	<b>\$9,100,000.00</b>

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:

**Owner's actual income and expense supports a reduction in actual value**

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **March 24, 2010 at 8:30 AM** be vacated; or, \_\_\_ (check if appropriate) a hearing has not yet been scheduled before the Board of Assessment Appeals.

x   
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Petitioner(s)  
By: **The "E" Company**  
**Steve A Evans**

DATED this **16th** day of **March, 2010**

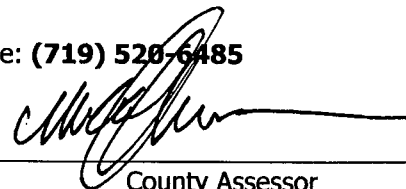
  
\_\_\_\_\_  
County Attorney for Respondent,  
Board of Equalization

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

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

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

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

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

Docket Number: **53670**  
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