

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 54042
Petitioner: TOMA WEST MANAGEMENT CORP. v. Respondent: DENVER COUNTY BOARD OF EQUALIZATION	
PARTIAL ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Partial Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Partial Stipulation is attached and incorporated as a part of this decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property included in this stipulation is described as follows:

Schedule No.s: 02345-15-028-000, 02345-15-029-000, 02345-15-030-000,
02345-15-031-000, 02345-15-026-000, 02345-15-024-000 AND 0234-15-011-000

Category: VALUATION Property Type: COMMERCIAL

Subject property not included in this stipulation is described as follows:

Schedule No.: 02345-15-028-000

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: \$31,764,800.00

(Reference Attached Stipulation)

DANIEL R. BARTHOLOMEW

Attorney & Counselor at Law

6795 East Tennessee Avenue
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Denver, Colorado 80224

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STATE OF COLORADO
BD OF ASSESSMENT APPEALS

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VIA EMAIL

June 22, 2011

Ms. Jode Helfer
Colorado State Board of Assessment Appeals
1313 Sherman Street
Room 315
Denver, Colorado 80203

Re: Stipulation for Docket #54042

Dear Jode:

The attached Stipulation for Docket No. 54042 (2009) did not include Denver County Schedule No. 02345-15-028-000, which was originally included in the BAA Petition for both 2009 and 2010 and the attached Stipulation for Docket No. 56024 (2010).

The value of Schedule No. 02345-15-028-000 was not changed for either year, so, as we previously discussed, in order to clean up this small discrepancy and provide for the issuance of the Order on Stipulation on Docket No. 54042, the Petition for Denver Schedule No. 02345-15-028-000 is hereby withdrawn with respect to Docket No. 54042 for the 2009 property tax year only.

Please call me if you have any questions.

Sincerely,



Dan R. Bartholomew

4. The Board concurs with the attached Stipulation.
5. The Board received Petitioner's request to withdraw the remaining matter

Schedule No.: 02345-15-028-000

Category: VALUATION Property Type: COMMERCIAL

ORDER:

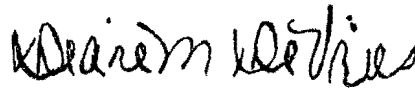
Respondent is ordered to reduce the 2009 actual value of the subject property, as set forth in the attached Stipulation. Petitioner's request for withdrawal is granted.

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

DATED and MAILED this 20th day of July, 2011.

BOARD OF ASSESSMENT APPEALS

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



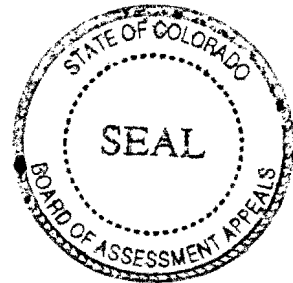
Diane M. Devries



Debra A. Baumbach



Cara McKeller



BOARD OF ASSESSMENT APPEALS STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 54042 Schedule Number: 02345-15-011-000+ 6
Petitioner: TOMA WEST MANAGEMENT CORP. v. Respondent: BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER	
Attorneys for Board of Equalization of the City and County of Denver City Attorney Charles T. Solomon #26873 Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3275 Facsimile: 720-913-3180	
STIPULATION (AS TO TAX YEAR 2009 ACTUAL VALUE)	

Petitioner, TOMA WEST MANAGEMENT CORP., and Respondent, BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER, 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.

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

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

621 17th St.; 633 17th St.; 635 17th St.; 1720 California St.
Denver, Colorado 80202

-
2. The subject property is classified as commercial real property.

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

Land	\$ 13,448,800.00
Improvements	\$ <u>22,282,700.00</u>
Total	\$ 35,731,500.00

4. After appeal to the Board of Equalization of the City and County of Denver, the Board of Equalization of the City and County of Denver valued the subject property as follows:

Land	\$ 13,448,800.00
Improvements	\$ <u>22,282,700.00</u>
Total	\$ 35,731,500.00

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

Allocation of Value Among the Parcels:

02345-15-011-000	\$ 2,596,000	\$ 1,000	\$ 2,597,000
02345-15-024-000	\$ 998,600	\$ 1,000	\$ 999,600
02345-15-026-000	\$ 1,297,400	\$ 753,100	\$ 2,050,500
02345-15-029-000	\$ 1,098,400	\$ 1,000	\$ 1,099,400
02345-15-030-000	\$ 1,497,800	\$ 1,000	\$ 1,498,800
02345-15-031-000	\$ <u>5,960,600</u>	\$ <u>17,558,900</u>	\$ <u>23,519,500</u>
	\$13,448,800	\$18,316,000	\$31,764,800

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


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

The value was adjusted after review of actual income and expense levels.

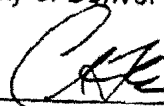
8. Both parties agree to be responsible for their own costs, expert and attorney fees, waiving any claim against each other for such, and agree that any hearing before the Board of Assessment Appeals not be scheduled or be vacated if already scheduled.

DATED this 27th day of March, 2011.

Agent/Attorney/Petitioner

By: 
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Board of Equalization of the City and
County of Denver

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Docket No: 54042