

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 56344
Petitioner: ABS RM INVESTOR 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.: R432364

Category: Valuation Property Type: Commercial Real
2. Petitioner is protesting the 2010 actual value of the subject property.
3. The parties agreed that the 2010 actual value of the subject property should be reduced to:

Total Value: \$8,149,900
 (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2010 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 10th day of February 2011.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

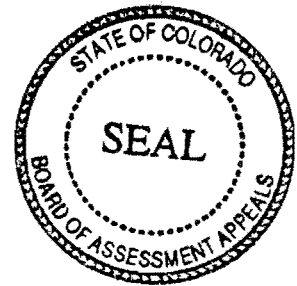
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

CM

Cara McKeller

Debra A. Baumbach

Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO

Docket Number: 56344
Single County Schedule Number: R432364

2011 JAN 31 AM 8:00

STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS

STIPULATION (As to Tax Year 2010 Actual Value)

JOE MONZON, AGENT FOR OWNER, ABS RM INVESTOR LLC

Petitioner,

vs.

LA PLATA COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2010 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:
ALBERTSONS GROCERY, 311 W. COLLEGE DR, DURANGO, CO. 81301

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

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2010:

Land	\$	7,166,770.00
Improvements	\$	2,229,510.00
Total	\$	<u>9,396,280.00</u>

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

Land	\$	7,166,770.00
Improvements	\$	2,229,510.00
Total	\$	<u>9,396,280.00</u>

5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2010 actual value for the subject property:


Land	\$	5,920,390.00
Improvements	\$	2,229,510.00
Total	\$	8,149,900.00

6. The valuation, as established above, shall be binding only with respect to tax year 2010.

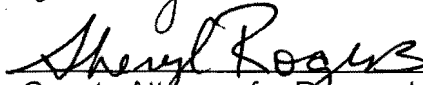
7. Brief narrative as to why the reduction was made:
IT IS ESTIMATED THAT ONLY 5.5 AC OF THE 7.608 AC SITE IS ACTUALLY LEVEL AND USEABLE. EST THAT 2AC IS CONSUMED BY SLOPE, PUBLIC WALKWAY AND THE ANIMAS RIVER. THE VALUE OF THE USEABLE 5.5 AC OF LAND IS SUPPORTED BY COMPARABLE SALES.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on NOT YET SCHEDULED (date) at _____ (time) be vacated or a (March 17, 2011) hearing has not yet been scheduled before the Board of Assessment Appeals. *See cover letter*

DATED this 29th day of January, 2011.

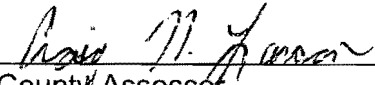


Petitioner(s) or Agent or Attorney



County Attorney for Respondent,
Board of Equalization

Address:
1099 18th St. #2006
Durango, CO 80202
Telephone:
303-297-2600

Address:
1060 E. 2nd Ave
Durango, CO 81301
Telephone: (970) 382-8600


County Assessor

Address:
P.O. Box 3339
Durango, CO 81301
Telephone: 970-382-6235

Docket Number 56344