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| <b>BOARD OF ASSESSMENT APPEALS,<br/>STATE OF COLORADO</b><br>1313 Sherman Street, Room 315<br>Denver, Colorado 80203                   | <b>Docket Number: 61168</b> |
| Petitioner:<br><b>GE CAPITAL FRANCHISE FINANCE CORP.,</b><br><br>v.<br><br>Respondent:<br><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.: 73251-19-025**  
  
**Category: Valuation      Property Type: Commercial Real**
2. Petitioner is protesting the 2012 actual value of the subject property.
3. The parties agreed that the 2012 actual value of the subject property should be reduced to:  
  

**Total Value:            \$458,425**  
 (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2012 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 20th day of May 2013.

**BOARD OF ASSESSMENT APPEALS**

*Diane M. DeVries*

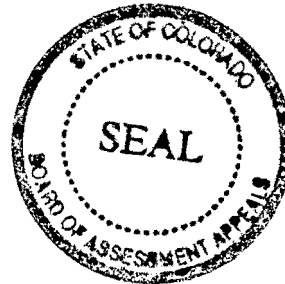
\_\_\_\_\_  
Diane M. DeVries

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

*Debra A. Baumbach*

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

*CJK*  
\_\_\_\_\_  
Cara McKeller



**BOARD OF ASSESSMENT APPEALS,  
STATE OF COLORADO**

1313 Sherman Street, Room 315  
Denver, CO 80203

**2013 MAY -9 PM 1: 27.**

**GE CAPITAL FRANCHISE FINANCE CORP.**

Petitioner.

v.

**EL PASO COUNTY BOARD OF EQUALIZATION,**

Respondent.

**Docket No. 61168**

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Steven Klaffky, Reg. No. 44836  
Assistant County Attorney  
El Paso County Attorney's Office  
200 S. Cascade Ave.  
Colorado Springs, CO 80903  
(719) 520-6493 Fax (719) 520-6487  
StevenKlaffky@elpasoco.com

**RESPONDENT'S RESPONSE TO ORDER TO SHOW CAUSE AND APPEAR**

COMES NOW Respondent El Paso County Board of Equalization and hereby requests that the Board of Assessment Appeals enter a response to the above-captioned matter pursuant to C.R.S. § 39-8-101 *et seq.* In support whereof, the Respondent states as follows:

1. The County Assessor originally assigned the following actual value to the subject property for tax year 2012:

|               |              |
|---------------|--------------|
| Land:         | \$474,476.00 |
| Improvements: | \$80,524.00  |
| Total:        | \$555,000.00 |

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

|               |              |
|---------------|--------------|
| Land:         | \$474,476.00 |
| Improvements: | \$80,524.00  |
| Total:        | \$555,000.00 |

3. After further review and negotiation, Petitioner and County Board of Equalization agreed to the following tax year 2012 actual value for the subject property:

Land: \$377,901.00  
Improvements: \$80,524.00  
Total: \$458,425.00


4. A complete, signed and accurate written stipulated settlement agreement was done on January 16, 2013, hereby incorporated and attached as Exhibit A.
5. This matter should not be set for hearing due to the Parties reaching a settlement, which is reflected in Exhibit A.

WHEREFORE, due to the foregoing, Respondent El Paso County Board of Equalization hereby requests this matter not be set for a hearing due to the parties having settled this action.

Date: May 8, 2013.

Respectfully submitted,

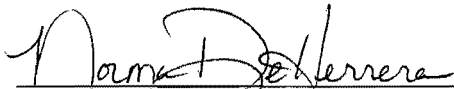
OFFICE OF THE COUNTY ATTORNEY  
OF EL PASO COUNTY, COLORADO

By:   
Steven Klaffky, Reg. No. 44836  
Assistant County Attorney  
200 S. Cascade Ave.  
Colorado Springs, CO 80903  
(719) 520-6493

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was sent to the Board of Assessment Appeals, 1313 Sherman Street, Room 315, Denver, CO 80203 and one copy of the same was sent to Petitioner's representative via First Class U.S. Mail this 8<sup>th</sup> day of May, 2013, addressed to:

Ian James, Agent  
Ryan, LLC  
1125 17<sup>th</sup> Street, Suite 1575  
Denver, CO 80202  
(303) 292-6204

  
Norma DeHerrera

BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO

Docket Number: 61168  
Single County Schedule Number: 73251-19-025

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STIPULATION (As to Tax Year 2012 Actual Value)

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GE CAPITAL FINANCE CORP.

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 2012 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:

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2. The subject property is classified as commercial property.

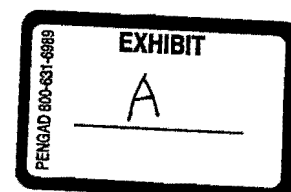
3. The County Assessor originally assigned the following actual value to the subject property for tax year 2012:

|               |              |
|---------------|--------------|
| Land:         | \$474,476.00 |
| Improvements: | \$80,524.00  |
| Total:        | \$555,000.00 |

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

|               |              |
|---------------|--------------|
| Land:         | \$474,476.00 |
| Improvements: | \$80,524.00  |
| Total:        | 555,000      |

Single Schedule No.



5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2012 actual value for the subject property:

|               |              |
|---------------|--------------|
| Land:         | \$377,901.00 |
| Improvements: | \$80,524.00  |
| Total:        | \$458,425    |

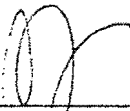
6. The valuation, as established above, shall be binding only with respect to tax year 2012.


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

ADDITIONAL ANALYSIS OF LAND SALES FOR THE PERIOD SUGGESTS A REDUCTION.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on February 19, 2013 at 8:30 a.m. be vacated; or, \_\_\_\_ (check if appropriate) a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 16th day of January, 2013

X   
\_\_\_\_\_  
Petitioner(s)  
By: Ian James

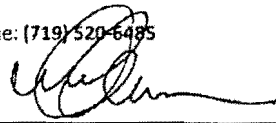
  
\_\_\_\_\_  
County Attorney for Respondent,  
Board of Equalization

Address: 1125 17th St.  
Suite 1575  
Denver, CO 80202

Address: 200 S. Cascade Ave. Ste. 150  
Colorado Springs, CO 80903-2208

Telephone: (303) 252-6204

Telephone: (719) 520-6485

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

Address: 1675 West Garden of the Gods Rd. Suite 2300  
Colorado Springs, CO 80907

Telephone: (719) 520-6600

Docket Number: 61168  
StipCnty.mst

Single Schedule No.

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