

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 69603
Petitioner: BATTERBERRY LAND GROUP LLC - v. Respondent: DOUGLAS 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.: R0472309
Category: Valuation/Protest Appeal Property Type: Commercial
2. Petitioner is protesting the 2016 actual value of the subject property.
3. The parties agreed that the 2016 actual value of the subject property should be reduced to:

Total Value: \$1,690,000
 (Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2016 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 27th day of January 2017.

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

Gordana Katardzic

Gordana Katardzic



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BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner: BATTERBERRY LAND GROUP LLC	
v.	
Respondent: DOUGLAS COUNTY BOARD OF EQUALIZATION.	Docket Number: 69603 Schedule No.: R0472309
Attorneys for Respondent: Dawn L. Johnson, #48451 Office of the County Attorney Douglas County, Colorado 100 Third Street Castle Rock, Colorado 80104 Phone Number: 303-660-7414 FAX Number: 303-484-0399 E-mail: attorney@douglas.co.us	
STIPULATION (As to Tax Year 2016 Actual Value)	

Petitioner and Respondent hereby enter into this Stipulation regarding the tax year 2016 valuation of the subject property and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

The Petitioner and Respondent agree and stipulate as follows:

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

Lot 1 Castle Pines Commercial 12. 2.20 AM/L.
2. The subject property is classified as Commercial property.

3. The County Assessor originally assigned the following actual value on the subject property for tax years 2015 and 2016:

Land	\$ 718,740
Improvements	<u>\$1,742,844</u>
Total	\$2,461,584

4. After a timely appeal to the Board of Equalization for both 2015 and 2016, the Board of Equalization valued the subject property as follows:

Land	\$ 718,740
Improvements	<u>\$1,742,844</u>
Total	\$2,461,584

5. Petitioner timely appealed the actual value on the subject property for tax year 2015 to the Board of Assessment Appeals in Docket No. 67858. The Board of Assessment Appeals valued the subject property as follows:

Land	\$ 718,740
Improvements	<u>\$ 971,260</u>
Total	\$1,690,000

6. The County has appealed the BAA's determination of value for tax year 2015, which is currently pending as *Batterberry Land Group, LLC v. Douglas County Board of Equalization*, Case Number 2016CA1490 in the Colorado Court of Appeals (the "Appeal").

7. After further review and negotiation, the Petitioner and the Douglas County Board of Equalization agree that the tax year 2016 actual value for the subject property shall be that which is finally determined for tax year 2015 upon exhaustion of the Appeal, including any further avenues of appeal and/or remand.

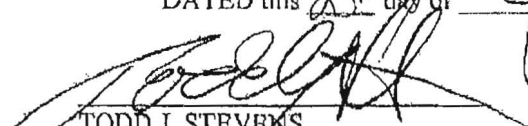
8. The valuation, as established above, shall be binding only with respect to tax year 2016.

9. Brief narrative as to why the stipulation was made:

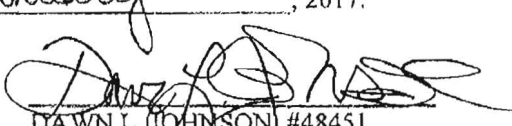
Further review of account data and equalization with the 2015 Board of Assessment Appeals Order under Docket No. 67858 warrant the stipulation.

10. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on February 22, 2017 at 8:30 a.m. be vacated.

DATED this 25th day of January, 2017.



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