

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 70543
Petitioner: DIAMONDROCK VAIL OWNER LLC v. Respondent: EAGLE 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.: R009007+2
Category: Valuation/Protest Appeal Property Type: Commercial

2. Petitioner is protesting the 2017 actual value of the subject property.

3. The parties agreed that the 2017 actual value of the subject property should be reduced to:

Total Value: \$142,500,930
 (Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2017 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 1st day of March 2018.

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.

Christine Fontenot

Christine Fontenot

Debra A. Baumbach

Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO

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Docket Number: 70543
Single County Schedule Number: R009007 +2

STIPULATION (As to Tax Year 2017 Actual Value)

DIAMONDROCK VAIL OWNER LLC

Petitioner,

vs.

EAGLE COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner and Respondent (collectively, the "Parties") hereby enter into this Stipulation regarding the tax year 2017 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner and Respondent agree and stipulate as follows:

1. The property subject to this stipulation is known as the **Vail Marriott** and described as follows:

Parcel Nos: 2101-072-05-015;
2101-072-17-001; and
2101-072-23-001

Site Address: 000714 Lionshead Pl;
000720 W. Lionshead Cir; and
000728 W. Lionshead Cir

Legal: LODGE UNIT;
WEST DAY SUBDIVISION Lot: 1; and
WDL VAIL CONDOMINIUM Unit: PARKING UNIT

2. The subject property is classified as **Commercial**

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2017:

Land	\$	9,560,800
Improvements	\$	141,024,990
Total	\$	150,585,790

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

Land	\$	9,560,800
Improvements	\$	141,024,990
Total	\$	150,585,790

5. After review and negotiation, Petitioner and County Board of Equalization agree to the following tax year 2017 actual value for the subject property:

Land	\$	9,560,800
Improvements	\$	132,940,130
Total	\$	142,500,930

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

The negotiated value was agreed between Petitioner and Eagle County prior to the Board of Assessment Appeals hearing.

7. The Parties expressly agree that the settled valuation established herein was accepted by the Parties for settlement purposes only, that they have resolved all disputes giving rise to the tax appeal and Petitioner expressly waives any right it may have to initiate a subsequent valuation protest or abatement petition for tax year 2017 or any other action relating to the property or the tax appeal. The Parties further stipulate and agree that this Agreement does not constitute an admission of liability; that it does not constitute any factual or legal precedent whatsoever; and that it may not be used as evidence in any subsequent proceeding of any kind, except in an action alleging breach of this stipulation agreement.

8. The valuation, as established above, shall be carried forward and applied for tax year 2018 pursuant to C.R.S. §39-1-104 (10.2) unless the Assessor determines that as of January 1, 2018, there is an unusual condition as defined in C.R.S. §39-1-104 (11) that would require a change in said level of value. Taxpayer does not waive the right to contest any determination made by the Assessor with respect to an unusual condition under C.R.S. §39-1-104 that would change said level of value for tax year 2018.

9. The original hearing date scheduled by the Board of Assessment Appeals (January 30, 2018) was vacated on the mutual request of the Parties. There is no need to reschedule a hearing on this matter as the issues are fully resolved.

Dated this 16th day of February, 2018.


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