

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 75067
Petitioner: BRUCE C. BERGER 2011 QPRT #1 AND BARBARA BERGER 2011 QPRT #1 v. Respondent: PITKIN COUNTY BOARD OF COUNTY COMMISSIONERS	
ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Stipulation, which has been accepted 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.: R011828
Category: Abatement Appeal Property Type: Residential

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: \$6,100,000
 (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 Pitkin County Assessor is directed to change his/her records accordingly.

DATED this 15th day of March 2019.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

Debra A. Baumbach

Debra A. Baumbach

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

Yesenia Araujo

Yesenia Araujo



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**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

County Schedule Number R011828
Docket No.: 75067

STIPULATION (As To Tax Year 2017 Actual Value)

Bruce C. Berger 2011 QPRT #1 and Barbara Berger 2011 QPRT #1,

Petitioners,

v.

Pitkin County Board of County Commissioners

Respondent,

Petitioner, Bruce C. Berger 2011 QPRT #1 and Barbara Berger 2011 QPRT #1, and Respondent Pitkin County Board of County Commissioners 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.

The Petitioners and Respondent agree and stipulate as follows:

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

The Westerly Tract as established, shown and described on the Subdivision Exception Map of the C.F. Murphy Associates, Inc. property in Hallam's Addition, Aspen, Colorado recorded October 31, 1980 in Plat Book 10 at page 56 as Reception No. 228393, together with all easement rights appurtenant thereto contained in that certain Grant of Easement recorded in Book 379 at page 362 of the Pitkin County records. And together with all right, title and interest of party of the first part in and to the strip of land lying westerly of the westerly boundary of the above described "Westerly Tract" and easterly of the existing wooden fence located within the adjoining Turley Subdivision, City of Aspen, Pitkin County, Colorado, said strip being more particularly described as follows:

Beginning at the Southwest corner of said "Westerly Tract"; thence Westerly 2.2 feet, more or less, to a wood fence now existing and in place; thence Northerly 120 feet, more or less, to a point 1.7 feet (more or less) West of the Northwest corner of said "Westerly Tract"; thence East 1.7 feet to said Northwest corner; thence South 0° 08' West 120 feet more or less along the Westerly line of said "Westerly Tract" to the point

of beginning. The foregoing "strip" conveyance shall be deemed to be by quit-claim only and without warranty of title of any kind.

and is identified as Parcel Number: 2735-121-19-002 in Pitkin County Assessor's Office records.

2. After a timely Petition for Abatement of Taxes was filed to the Pitkin County Board of County Commissioners, the Pitkin County Board of County Commissioners valued the subject property as follows for tax year 2017:

Sch # R011828	Residential Land:	\$ 5,500,000
	Residential Improvements:	<u>\$ 1,500,000</u>
	Total:	\$ 7,000,000


3. After further review and negotiation, the Petitioner and Pitkin County Board of County Commissioners agree to the following tax year 2017 actual value for the subject property:


Sch # R011828	Residential Land:	\$ 5,000,000
	Residential Improvements:	<u>\$ 1,100,000</u>
	Total:	\$ 6,100,000

4. The valuation, as established above, shall be binding with respect to tax year 2017, absent any unusual change in condition to the property.

5. Both parties agree that the hearing scheduled before the Board of Assessment Appeals shall be canceled.

Dated this 17th day of March, 2019.


Richard Y. Neiley III #45848
Pitkin County Attorney
123 Emma Road, Ste. 204
Basalt, Colorado 81621
(970)920-5190


Deb Barnesberger
Pitkin County Assessor
530 E. Main St., Ste 204
Aspen, Colorado 81611
(970)920-5160
Deb Barnesberger

ATTORNEY FOR RESPONDENT
PITKIN COUNTY BOARD
OF COUNTY COMMISSIONERS



Kendra L. Goldstein, Esq. #40136
Goldstein Law Firm, LLC
950 S. Cherry St., Ste. 320
Denver, Colorado 80246
(303)757-8865

ATTORNEY FOR PETITIONERS