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| <p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>E D SMITH INC</p> <p>v.</p> <p>Respondent:</p> <p>EL PASO BOARD OF COUNTY COMMISSIONERS</p> | <p>Docket No.: 75409</p> |
| <p>ORDER ON STIPULATION</p> | |

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 Order on Stipulation.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

| | |
|-------------------------|--------------|
| County Schedule No.: | 22022-09-004 |
| Appeal Category: | ABATEMENT |
| Current Classification: | COMMERCIAL |

2. Petitioner is protesting the 2017 classification of the subject property.

3. The parties agreed that the 2017 classification of the subject property should be as follows:

| | |
|-----------------|------------------------|
| Classification: | COMMERCIAL/RESIDENTIAL |
|-----------------|------------------------|

(Reference the attached Stipulation)

4. The Board concurs with the Stipulation.

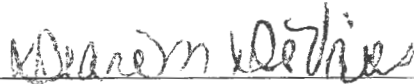
ORDER:

Respondent is ordered to change the 2017 classification of the subject property as set forth above.

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

DATED this 2nd day of October, 2019.

BOARD OF ASSESSMENT APPEALS

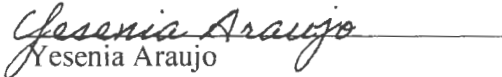


Diane M. DeVries

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



Debra A. Baumbach



Yesenia Araujo

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

STATE OF COLORADO
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Docket Number: **75409**
Single County Schedule Number: **22022-09-004**

STIPULATION (As to Abatement/Refund For Tax Year 2017)

ED SMITH

Petitioner(s),

vs.

EL PASO COUNTY BOARD OF COMMISSIONERS,

Respondent.

Petitioner(s) and Respondent 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(s) and Respondent agree and stipulate as follows:

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

THAT PART OF LOT 2 LY S OF HWY BLK 4 MOTTS ADD CALHAN N2 OF VAC SIXTH ST ADJ

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 2017:

| | |
|---------------|-----------|
| Land: | \$27,840 |
| Improvements: | \$101,415 |
| Total: | \$129,255 |

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

| | |
|---------------|-----------|
| Land: | \$27,840 |
| Improvements: | \$101,415 |
| Total: | \$129,255 |

Single Schedule No. (Abatement)

1

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

| | |
|---------------|------------------|
| Land: | \$27,840 |
| Improvements: | <u>\$101,415</u> |
| Total: | \$129,255 |

6. The valuation, as established above, shall be binding only with respect to tax year 2017.

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

NO CHANGE TO OVERALL VALUE. AFTER AN ONSITE INSPECTION, IT WAS DISCOVERED THAT THE PROPERTY IS MIXED USE; VALUE WILL BE ALLOCATED AS 50% COMMERCIAL AND 50% RESIDENTIAL.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on **OCTOBER 30, 2019 at 8:30 AM** be vacated; or, ___ (check if appropriate) a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 25TH day of SEPTEMBER, 2019

x Mills Ford, Agent
Petitioner(s)
By: **Mills Ford**
(AGENT FOR PETITIONER)

[Signature]
County Attorney for Respondent,
Board of Commissioners

Address: **3199 S. Pearl St.**
Englewood, CO. 80113

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

Telephone: **(303) 757-2570**

Telephone: **(719) 520-6485**

[Signature]
County Assessor

Address: **1675 W. Garden of Gods Rd. Ste 2300**
Colorado Springs, CO 80907

Telephone: **(719) 520-6600**

Docket Number: 75409
StipCnty.Aba

Single Schedule No. (Abatement)

2