

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>H. KENNETH JOHNSTON II AND LINDA J. JOHNSTON,</p> <p>v.</p> <p>Respondent:</p> <p>WELD COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: H. Kenneth Johnston II Address: 998 WCR 3 Erie, CO 80516 Phone Number: (303) 438-8903 E-mail: Attorney Registration No.:</p>	<p>Docket Number: 38096</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 decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

Old County Schedule No.: 146732000038
New County Schedule No.: 146732202008
Category: Valuation **Property Type: Residential**

2. Petitioner is protesting the 2001 actual value of the subject property.

3. The parties agreed that the 2001 actual value of the subject property should be reduced to:

Land	\$ 1,100.00
Improvements	<u>\$446,670.00</u>
Total	\$447,770.00

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2001 actual value of the subject property, as set forth above.

The Weld County Assessor is directed to change his records accordingly.

DATED/MAILED this 15th day of June, 2002.

This decision was put on the record

June 14, 2002

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

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

Penny S. Bunnell
Penny S. Bunnell



Docket Number 38096



June 11, 2002

Board of Assessment Appeals
 State of Colorado
 Attn: Jodie
 FAX: 303-866-4485

RE: Kenneth H. and Linda J. Johnston
 Schedule No. 146732000038

Dear Jodie,

This will confirm our telephone conversation yesterday concerning the correct Schedule Number for the above referenced matter.

The stipulation that was recently submitted contained the incorrect Account Number and Schedule Numbers. The correct numbers should be:

Account No. R8606900
 Schedule No. 146732000038.

Please submit the proposed stipulation concerning Kenneth H. and Linda J. Johnston under those numbers, and disregard the numbers which are handwritten on the proposed stipulation.

We apologize for any confusion this may have caused. We appreciate your assistance in this matter.

Very Truly Yours,

Cyndy Graubue
 Cyndy Graubue
 Assistant Weld County Attorney

WELD COUNTY ATTORNEY'S OFFICE
 915 TENTH STREET
 P.O. BOX 758
 GREELEY, CO 80632
 WEBSITE: www.co.weld.co.us
 PHONE: (970) 336-7235
 FAX: (970) 352-0242

RECEIVED
 02 JUN 11 AM 9:49
 BOARD OF ASSESSMENT APPEALS

BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO

Docket Number: NOT YET SET FOR HEARING
Single County Schedule Number R1384102 SCH# 146732202008

STIPULATION (As To Tax Year 2001 Actual Value)

Kenneth H. + Linda J. JOHNSTON,

Petitioner(s),

vs.

Weld COUNTY BOARD OF EQUALIZATION,

Respondent.

RECEIVED
02 JUN 10 AM 8:00
BOARD OF ASSESSMENT APPEALS

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2001 valuation of the subject property, and jointly move that arbitration of the property in question be hereby resolved.

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

1. The property subject to this Stipulation is described as:
RESIDENTIAL HOME ON AG. CLASSIFIED LAND LOCATED ON WELD CITY ROAD 3 NEAR ERIE CO. - HOUSE WAS ON LARGE ACREAGE AT TIME OF THIS APPEAL - ALSO INCLUDED LARGE OUT BUILDING.

2. The subject property is classified as AGRICULTURAL property (what type).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2001

Land	\$	<u>1297.00</u>
Improvements	\$	<u>546261.00</u>
Total	\$	<u>547,558.00</u>

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

Land	\$	<u>1297.00</u>
Improvements	\$	<u>525493.00</u>
Total	\$	<u>526,790.00</u>

Single Schedule No.

1

5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2001 actual value for the subject property:

Land	\$	<u>1100.00</u>
Improvements	\$	<u>446670.00</u>
Total	\$	<u>447,770.00</u>

6. The valuation, as established above, shall be binding only with respect to tax year 2001*

7. Brief narrative as to why the reduction was made:
The Subject property HAS Experienced EXTERNAL DEPRECIATION BECAUSE OF A NEW SUBDIVISION BEING CONSTRUCTED ON ALL SIDES OF ITS BOUNDARIES. FURTHER - THE ROAD LEADING TO THE SUBJECT PROPERTY HAS BEEN TORN UP AND UNDER REPAIR FOR THE BETTER PART OF THE PAST 12-18 MONTHS. GAVE 15% obsol.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on NOT YET SET. (date) at _____ (time) be vacated; or, a hearing has not yet been scheduled before the Board of Assessment Appeals _____ (check if appropriate).

DATED this 20 day of MAY - 2002.

[Signature]
Petitioner(s) or Attorney

Cindy Guainque
County Attorney for Respondent,
Board of Equalization

Address:

998 WICK 3
ENG CO 80516

Address:

915 10th Street, P.O. Box 758
Greeley, CO 80632

Telephone: _____

Telephone: 970-356-4000 x4391

Michael Simpson for Stan Sessions
County Assessor

Address:

1400 N. 17th Avenue
Greeley, Colo.
80631

Docket Number _____
StipCnty.mst _____

Telephone: 970-353-3845 x3685

Single Schedule No.

2

* TAX YEAR 2002 WAS ALSO REDUCED - HOWEVER THAT WAS SEPARATE OF THIS APPEAL AND THE LAND HAS CHANGED SINCE THERE WAS A SPLIT AND ACREAGE SIZE IS ALSO DIFFERENT THAN IT WAS IN 2001.