

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>OPEN WINDOWS INC,</p> <p>v.</p> <p>Respondent:</p> <p>GILPIN COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Tim Sabus Address: 1433 Market St. Denver, CO 80202 Phone Number: (303) 534-7909</p>	<p>Docket Number: 40965</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:

County Schedule No.: R002825

Category: Valuation

Property Type: Vacant Land

2. Petitioner is protesting the 2002 actual value of the subject property.

3. The parties agreed that the 2002 actual value of the subject property should be reduced to:

Total \$41,160.00

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2002 actual value of the subject property, as set forth above.

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

DATED/MAILED this 3rd day of September, 2003.

This decision was put on the record

September 2, 2003

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

Jackie J. Brown
Jackie J. Brown



BOARD OF ASSESSMENT APPEALS STATE OF COLORADO

Docket Number: 40265

Single County Schedule Number: R002825

STIPULATION (As to Tax Year 2002 Actual Value)

OPEN WINDOWS, INC.

Petitioner,

vs.

GILPIN COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2002 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:

USMS: C T Mine Name: Sayre Tract (UND 1/4 OF PT DES 274/464) City Block 024 Lot: 027 & Lot: 028

2. The subject property is classified as VACANT LAND (what type of property).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2002:

Land	\$ <u>65,860</u> .00
Improvements	\$ <u> </u> .00
Total	\$ <u>65,860</u> .00

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

Land	\$ <u>65,860</u> .00
Improvements	\$ <u> </u> .00
Total	\$ <u>65,860</u> .00

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AUG-22-2003 11:16 FROM:PETROCK & FENDEL PC 303-534-0310

TO: 3035343953

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5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2002 actual value for the subject property:

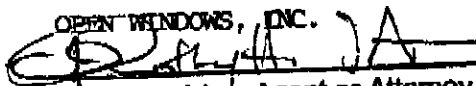
Land	\$ <u>41,160</u>	.00
Improvements	\$ _____	.00
Total	\$ <u>41,160</u>	.00

6. The valuation, as established above, shall be binding only with respect to tax year 2002.

7. Brief narrative as to why the reduction was made:
TO REFLECT DECLINING VALUES IN CENTRAL CITY

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on SEPTEMBER 22 (date) at 1:00 P.M. (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 25th day of August 2003

OPEN WINDOWS, INC.

 Petitioner(s) or Agent or Attorney
 by Tim Sabus as Agent
August 25, 2003

Address:
1433 Market St.
Denver, CO 80202

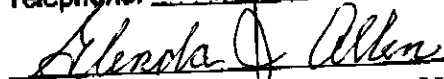
Telephone: 303-534-7909


GILEAN COUNTY ATTORNEY

County Attorney for Respondent,
Board of Equalization
James J. Petrock, Reg. No. 2881

Address:
700 17th Street, Suite 1800
Denver, CO 80202

Telephone: 303-534-0702


County Assessor Glenda J. Allen

Address:
P.O. Box 338
Central City, CO 80427

Telephone: 303-582-5451

Docket Number 40965