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| <p><b>BOARD OF ASSESSMENT APPEALS,<br/>STATE OF COLORADO</b><br/>1313 Sherman Street, Room 315<br/>Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>ROYAL GORGE COMPANY OF COLORADO,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>FREMONT COUNTY BOARD OF<br/>COMMISSIONERS.</b></p> |                                    |
| <p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Stephanie M. Tuthill<br/>HOLME ROBERTS &amp; OWEN, LLP</p> <p>Address: 1700 Lincoln Street, Suite 4100<br/>Denver, CO 80203-4541</p> <p>Phone Number: (303) 861-7000</p> <p>Attorney Reg. No.: 15276</p>             | <p><b>Docket Number: 41156</b></p> |
| <p><b>ORDER ON STIPULATION</b></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.: CP200-10-006**

**Category: Refund/Abatement**

**Property Type: Possessory Interest**

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:

Total                      \$8,811,093.00

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

**DATED/MAILED** this 8<sup>th</sup> day of May, 2003.

This decision was put on the record

                    May 7, 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

                    Penny S. Lowenthal                      
Penny S. Lowenthal



**BOARD OF ASSESSMENT APPEALS**

**STATE OF COLORADO**

DOCKET NUMBER **41156**  
COUNTY SCHEDULE NO. CP20010006

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STIPULATION AS TO TAX YEAR 2001 POSSESSORY INTEREST ACTUAL VALUE

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ROYAL GORGE COMPANY OF COLORADO, Petitioner,

v.

FREMONT COUNTY BOARD OF COMMISSIONERS, Respondent.

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Petitioner and Respondents hereby enter into this Stipulation regarding the tax year 2001 valuation of the possessory interest of Petitioner, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner and Respondents agree and stipulate as follows:

1. The property subject to this stipulation is a possessory interest in land owned by the City of Canon City and used by Petitioner in accordance with a lease agreement.
2. The subject property is classified as a possessory interest.
3. The County Assessor originally assigned an actual value of \$8,811,093.00 to the subject property for tax year 2001. After a timely appeal to the Board of Commissioners, the original valuation of the possessory interest was upheld.
4. After further review and negotiation, Petitioner and the Board of Commissioners agree to an actual value of \$1,222,605.00 for the possessory interest of Petitioner for tax year 2001.
5. The valuation, as established herein, shall be binding only with respect to tax year 2001.
6. The reduction in value was made as a result of a review of data concerning valuation submitted to Respondent by Petitioner and as a result of comparative values of possessory interests throughout the state.
7. Both parties agree that the pending proceedings before the Board of Assessment Appeals will be fully resolved after approval of this Stipulation and that no hearing will be necessary.

RECEIVED  
MAY 5 PM 3:27  
FREMONT COUNTY BOARD OF COMMISSIONERS

Date: 5/5/03

ROYAL GORGE BRIDGE COMPANY  
OF COLORADO, PETITIONER

By: Stephanie M. Tuthill  
Stephanie M. Tuthill, # 15276  
Attorney for Petitioner  
HOLME ROBERTS & OWEN, LLP  
1700 Lincoln Street, Suite 4100  
Denver, CO 80203-4541  
303/861-7000

Date: 4/30/03

BOARD OF COMMISSIONERS FOR  
FREMONT COUNTY, RESPONDENT

By: Brenda L. Jackson  
Brenda L. Jackson, #15172  
Fremont County Attorney  
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Canon City, CO 81212  
719/276-7499

James W. Deatherage  
James W. Deatherage  
Fremont County Assessor  
615 Macon Ave., Suite 107  
Canon City, CO 81212  
719/276-7310

**BOARD OF ASSESSMENT APPEALS,  
STATE OF COLORADO**

1313 Sherman Street, Room 315  
Denver, Colorado 80203

Petitioner:

**ROYAL GORGE COMPANY OF COLORADO,**

v.

Respondent:

**FREMONT COUNTY BOARD OF COMMISSIONERS.**

Attorney or Party Without Attorney for the Petitioner:

**Docket Number: 41156**

Name: Stephanie M. Tuthill  
HOLME ROBERTS & OWEN, LLP  
Address: 1700 Lincoln Street, Suite 4100  
Denver, CO 80203-4541  
Phone Number: (303) 861-7000  
Attorney Reg. No.: 15276

**AMENDMENT TO ORDER (On Stipulation)**

**THE BOARD OF ASSESSMENT APPEALS** hereby amends page 2 of its 2003 Order in the above-captioned appeal to reflect that the 2001 actual value of the subject property should be reduced to \$1,222,605.00.

In all other respects, the May 8, 2003 Order shall remain in full force and effect.

**DATED/MAILED** this 14<sup>th</sup> day of May, 2003.

This amendment was put on the record

May 13, 2003

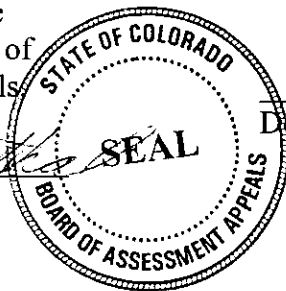
**BOARD OF ASSESSMENT APPEALS**

*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

*Penny S. Lowenthal*  
Penny S. Lowenthal



*Debra A. Baumbach*  
Debra A. Baumbach