

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>DAVID AND JENNIFER OYLER ET AL., KENT HOLIDAY, BRIAN HOLIDAY, BROOMFIELD NORTH, 1860 WHISTLEPIG DRIVE LLC, WHISTLEPIG PARTNERS LLC</p> <p>v.</p> <p>Respondent:</p> <p>BROOMFIELD COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Downey & Knickrehm Thomas E Downey, Jr.</p> <p>Address: 733 East Eighth Ave Denver, CO 80203</p> <p>Phone Number: (303) 813-1111</p> <p>Attorney Reg. No.: 9686</p>	<p>Docket Number: 41834, 41835, 41836, 41837, 41838, 41839</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.: R8860844, R8860842, R8860843, R8860845, R8860846,
R8860847, R8860848, R8860849**

Category: Valuation

Property Type: Vacant Land

2. Petitioner is protesting the 2003 actual value of the subject property.
3. The parties agreed that the 2003 actual value of the subject property should be reduced to:

See Attached Stipulation

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2003 actual value of the subject property, as set forth above.

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

DATED/MAILED this 27th day of April, 2004.

This decision was put on the record

April 26, 2004

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

The seal is circular with a double-line border. The outer ring contains the text "STATE OF COLORADO" at the top and "BOARD OF ASSESSMENT APPEALS" at the bottom. In the center of the seal, the word "SEAL" is written in a bold, sans-serif font.

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 41834, 41835, 41836, 41837, 41838 and 41839
Multiple County Schedule Numbers: (As Set Forth in the Attached)

STIPULATION (As to Tax Year 2003 Actual Value)

Petitioner,

vs.

BROOMFIELD COUNTY BOARD OF EQUALIZATION,
Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2003 valuation of the subject properties, 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 properties subject to this Stipulation are described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.
2. The subject properties are classified as vacant land.
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2003.
4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Equalization.
5. After further review, Petitioner(s) and Respondent agree the subject properties should be classified as agricultural land for the tax year 2003 and the actual values of the subject properties, for the tax year 2003, are as shown on Attachment C.
6. The valuations, as established on Attachment C, shall be binding with respect to only tax year 2003.
7. Brief narrative as to why the reduction was made:

Consideration of information supplied by Petitioners regarding the use of the subject properties for farming.

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8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on May 17, 2004, at 8:30 a.m. be vacated.

DATED this 21st day of April, 2004.

Thomas E. Downey, Jr. #9686
Petitioner(s) or Agent or Attorney

Tami Yellico

Tami Yellico, Reg. #19417
County Attorney for Respondent,
Board of Equalization

Address:

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City and County of Broomfield
One DesCombes Drive
Broomfield, CO 80020
303-464-5806

Nancy D. Anders
Nancy D. Anders, County Assessor

Address:

City and County of Broomfield
One DesCombes Drive
Broomfield, CO 80020
303-438-6291

Docket Number

ATTACHMENT A
 Actual Values as assigned by the Assessor

Docket Number(s): 41834, 41835, 41836, 41837 41838 and 41839

Schedule Number	Land Value	Improvement Value	Total Actual Value
R8860844	\$236,130		\$236,130
R8860842	\$236,130		\$236,130
R8860843	\$236,130		\$236,130
R8860845	\$236,130		\$236,130
R8860846	\$236,130		\$236,130
R8860847	\$236,130		\$236,130
R8860848	\$236,130		\$236,130
R8860849	\$236,130		\$236,130
TOTAL:			\$1,889,040

ATTACHMENT C
Actual Values as agreed to by all Parties

Docket Number(s): 41834, 41835, 41836, 41837 41838 and 41839

<u>Schedule Number</u>	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Actual Value</u>
<u>R8860844</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860842</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860843</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860845</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860846</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860847</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860848</u>	<u>\$1,500</u>		<u>\$1,500</u>
<u>R8860849</u>	<u>\$1,500</u>		<u>\$1,500</u>
TOTAL:			\$12,000