

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>M & S TERRACE TOWER II, LLC,</p> <p>v.</p> <p>Respondent:</p> <p>ARAPAHOE COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Ronald S. Loser, Esq. Robinson, Waters & O'Dorisio</p> <p>Address: 1700 Lincoln Street, #1300 Denver, CO 80203</p> <p>Phone Number: 303.866.9400</p>	<p>Docket Number: 42336</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.: 2075-16-4-05-032

Category: Valuation Property Type: Commercial
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:

Land:	\$ 3,458,228.00
Improvements:	<u>\$26,541,772.00</u>
Total:	\$30,000,000.00

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.

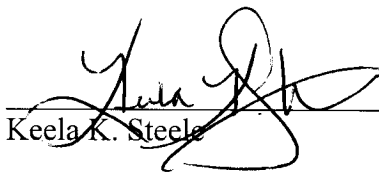
The Arapahoe County Assessor is directed to change his/her records accordingly.

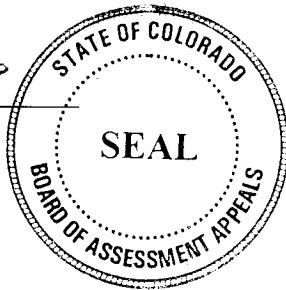
DATED/MAILED this 27th day of August, 2004.

This decision was put on the record

August 25, 2004

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


Keela K. Steele



BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
DOCKET NUMBER 42336**

STIPULATION (As To Tax Years 2003 Actual Value)

M&S TERRACE TOWER II LLC,

Petitioner,

vs.

ARAPAHOE COUNTY BOARD OF EQUALIZATION,

Respondent.

THE PARTIES TO THIS ACTION entered into a Stipulation regarding the tax year 2003 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its Order based on this Stipulation. A conference call with the petitioner and respondent have resulted in the following agreement:

Subject property is classified as offices and described as follows: 5619 DTC Pkwy.; County Schedule Number 2075-16-4-05-032; RA 3911-037.

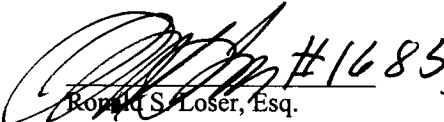
A brief narrative as to why the reduction was made: Analyzed cost, market & income information

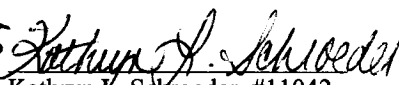
The parties have agreed that the 2003 actual value of the subject property should be reduced as follows:


ORIGINAL VALUE		NEW VALUE (2003)	
Land	\$ 3,458,228	Land	\$ 3,458,228
Improvements	\$ 31,541,772	Improvements	\$ 26,541,772
Personal	\$ _____	Personal	\$ _____
Total	\$ 35,000,000	Total	\$ 30,000,000

The valuation, as established above, shall be binding only with respect to the tax year 2004. Both parties agree that the hearing before the Board of Assessment Appeals on this matter be vacated or is unnecessary if one has not yet been scheduled.

DATED this _____ day of _____ 2004.


#1685
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