

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>STEAMBOAT SKI & RESORT CORP,</p> <p>v.</p> <p>Respondent:</p> <p>ROUTT COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Consultus Asset Valuation Steve Letman</p> <p>Address: 16A Inverness Place East Englewood, CO 80111</p> <p>Phone Number: (303) 770-2420</p>	<p>Docket Number: 42428 (Partial)</p>
<p style="text-align: center;">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.: R8164865, R8164867, R8164868, R8164869, R8164870, R8164871, R8164873, R8164874, R8164876, R8164877, R8164884, R8164885, R8164886, R8164887, R8164888, R8164889

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:

See Attachment A of 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.

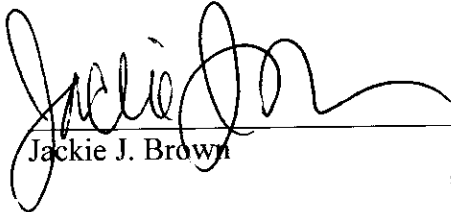
The Routt County Assessor is directed to change his/her records accordingly.

DATED/MAILED this 2nd day of December, 2003.

This decision was put on the record

December 1, 2003

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


Jackie J. Brown

BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 42428

Multiple County Schedule Numbers: R8166241, R8164865, R8164867, R8164868, R8164869, R8164870, R8164871, R8164873, R8164874, R8164876, R8164877, R8164884, R8164885, R8164886, R8164887, R8164888 & R8164889

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STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS

STIPULATION (As to Tax Year 2003 Actual Values)

STEAMBOAT SKI & RESORT CORP,

Petitioner,

vs.

ROUTT COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner and Respondent hereby enter into this Stipulation regarding the tax year 2003 valuations of the subject properties, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

Petitioner 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 Attachment A to this Stipulation.
2. The subject properties currently are classified as Commercial.
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2003.
4. Attachment A reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Equalization.
5. After further review and negotiation, Petitioner and Respondent agree to the tax year 2003 actual values of the subject properties, as shown on Attachment A.
6. The valuations, as established on Attachment A, shall be binding only with respect to tax year 2003.

7. The reason for the values of the subject properties as reflected in this stipulation are as follows:

- a. The reduction in values on County Schedule Numbers R8164867, R8164871, R8164876, R8164877, R8164884 and R8164889 is the result of an adjustment to reflect the location within the condominium complex.
- b. As part of this Stipulation, Petitioner has withdrawn its appeal on County Schedule Numbers R8164865, R8164868, R8164869, R8164870, R8164873, R8164874, R8164885, R8164886, R8164887 and R8164888. Therefore, the actual values for County Schedule Numbers R8164865, R8164868, R8164869, R8164870, R8164873, R8164874, R8164885, R8164886, R8164887 and R8164888 for tax year 2003 remains as assigned by the Assessor and upheld by the Respondent.
- c. County Schedule Number R8166241 has not been settled as part of this Stipulation.

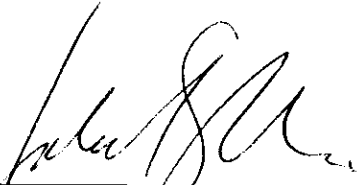
8. A hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 19th day of November, 2003.




Petitioner

Steve Letman
Consultus Asset Valuation
7445 E. Peakview Avenue
Englewood, CO 80111
(303) 770-2420



County Attorney for Respondent,
Board of Equalization

John D. Merrill, Reg. No. 19505
Routt County Attorney
P.O. Box 773598
Steamboat Springs, CO 80477
(970) 870-5317



County Assessor

Amy J. Williams
Routt County Assessor
P.O. Box 773210
Steamboat Springs, CO 80477
(970) 879-2756

Docket Number 42428

ATTACHMENT A
Docket Number: 42428

County Schedule Number	Property Description	Actual Values as assigned by Assessor	Actual Values as assigned by County Board of Equalization	Actual Values agreed to by all Parties
R8166241	Development Parcels 1-5, Gondola Square Condominiums Total 1.49A	\$2,235,000.00	\$2,235,000.00	<i>Not settled</i>
R8164865	Unit A-1, Building A, Gondola Square Condominiums	\$1,209,930.00	\$1,209,930.00	\$1,209,930.00
R8164867	Unit A-3, Building A, Gondola Square Condominiums	\$90,250.00	\$90,250.00	\$84,240.00
R8164868	Unit A-4, Building A, Gondola Square Condominiums	\$269,800.00	\$269,800.00	\$269,800.00
R8164869	Unit A-5, Building A, Gondola Square Condominiums	\$242,990.00	\$242,990.00	\$242,990.00
R8164870	Unit A-6, Building A, Gondola Square Condominiums	\$499,150.00	\$499,150.00	\$499,150.00
R8164871	Unit A-7, Building A, Gondola Square Condominiums	\$1,201,310.00	\$1,201,310.00	\$1,188,190.00
R8164873	Unit B-1, Building B, Gondola Square Condominiums	\$2,205,590.00	\$2,205,590.00	\$2,205,590.00
R8164874	Unit C-1, Building C, Gondola Square Condominiums	\$274,590.00	\$274,590.00	\$274,590.00
R8164876	Unit C-3, Building C, Gondola Square Condominiums	\$392,150.00	\$392,150.00	\$366,000.00
R8164877	Unit C-4, Building C, Gondola Square Condominiums	\$733,760.00	\$733,760.00	\$440,000.00
R8164884	Unit E-2, Building E, Gondola Square Condominiums	\$176,990.00	\$176,990.00	\$122,520.00
R8164885	Unit F-1, Building F, Gondola Square Condominiums	\$56,990.00	\$56,990.00	\$56,990.00
R8164886	Unit F-2, Building F, Gondola Square Condominiums	\$219,290.00	\$219,290.00	\$219,290.00
R8164887	Unit F-3, Building F, Gondola Square Condominiums	\$450,550.00	\$450,550.00	\$450,550.00
R8164888	Unit F-4, Building F, Gondola Square Condominiums	\$219,290.00	\$219,290.00	\$219,290.00
R8164889	Unit F-5, Building F, Gondola Square Condominiums	\$221,210.00	\$221,210.00	\$206,460.00
Totals:		\$10,698,840.00	\$10,698,840.00	\$7,689,946.000

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>STEAMBOAT SKI & RESORT CORP,</p> <p>v.</p> <p>Respondent:</p> <p>ROUTT COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Consultus Asset Valuation Steve Letman</p> <p>Address: 16A Inverness Place East Englewood, CO 80111</p> <p>Phone Number: (303) 770-2420</p>	<p>Docket Number: 42428 (Partial)</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.: R8164865, R8164867, R8164868, R8164869, R8164870, R8164871, R8164873, R8164874, R8164876, R8164877, R8164884, R8164885, R8164886, R8164887, R8164888, R8164889

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:

See Attachment A of 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.

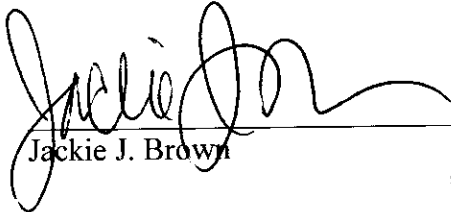
The Routt County Assessor is directed to change his/her records accordingly.

DATED/MAILED this 2nd day of December, 2003.

This decision was put on the record

December 1, 2003

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


Jackie J. Brown

BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 42428

Multiple County Schedule Numbers: R8166241, R8164865, R8164867, R8164868, R8164869, R8164870, R8164871, R8164873, R8164874, R8164876, R8164877, R8164884, R8164885, R8164886, R8164887, R8164888 & R8164889

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STIPULATION (As to Tax Year 2003 Actual Values)

STEAMBOAT SKI & RESORT CORP,

Petitioner,

vs.

ROUTT COUNTY BOARD OF EQUALIZATION,

Respondent.

Petitioner and Respondent hereby enter into this Stipulation regarding the tax year 2003 valuations of the subject properties, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

Petitioner 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 Attachment A to this Stipulation.
2. The subject properties currently are classified as Commercial.
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2003.
4. Attachment A reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Equalization.
5. After further review and negotiation, Petitioner and Respondent agree to the tax year 2003 actual values of the subject properties, as shown on Attachment A.
6. The valuations, as established on Attachment A, shall be binding only with respect to tax year 2003.

7. The reason for the values of the subject properties as reflected in this stipulation are as follows:

- a. The reduction in values on County Schedule Numbers R8164867, R8164871, R8164876, R8164877, R8164884 and R8164889 is the result of an adjustment to reflect the location within the condominium complex.
- b. As part of this Stipulation, Petitioner has withdrawn its appeal on County Schedule Numbers R8164865, R8164868, R8164869, R8164870, R8164873, R8164874, R8164885, R8164886, R8164887 and R8164888. Therefore, the actual values for County Schedule Numbers R8164865, R8164868, R8164869, R8164870, R8164873, R8164874, R8164885, R8164886, R8164887 and R8164888 for tax year 2003 remains as assigned by the Assessor and upheld by the Respondent.
- c. County Schedule Number R8166241 has not been settled as part of this Stipulation.

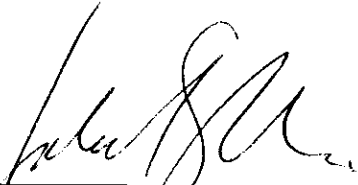
8. A hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 19th day of November, 2003.




Petitioner

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7445 E. Peakview Avenue
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(303) 770-2420



County Attorney for Respondent,
Board of Equalization

John D. Merrill, Reg. No. 19505
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Docket Number 42428

ATTACHMENT A
Docket Number: 42428

County Schedule Number	Property Description	Actual Values as assigned by Assessor	Actual Values as assigned by County Board of Equalization	Actual Values agreed to by all Parties
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<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>STEAMBOAT SKI & RESORT CORP,</p> <p>v.</p> <p>Respondent:</p> <p>ROUTT COUNTY BOARD OF EQUALIZATION.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Thomas E. Downey, Jr. Downey & Knickrehm Address: 733 East Eighth Avenue Denver, Colorado 80203 Phone Number: 303-813-1111 Attorney Reg. No.: 9686</p>	<p>Docket Number: 42428 (Partial)</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.: R8166241

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	\$0.00
Improvements	<u>\$0.00</u>
Total	\$0.00

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 Routt County Assessor is directed to change her records accordingly.

DATED/MAILED this 23rd day of June, 2004.

This decision was put on the record

June 22, 2004

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

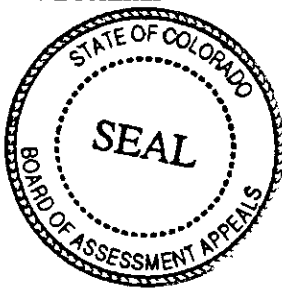
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals

Debra A. Baumbach

Debra A. Baumbach

Marian F. Brennan

Marian F. Brennan



BOARD OF ASSESSMENT APPEALS STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner: STEAMBOAT SKI & RESORT CORP, v. Respondent: ROUTT COUNTY BOARD OF EQUALIZATION.	
ATTORNEY FOR RESPONDENT: John D. Merrill, Reg. No. 19505 Routt County Attorney 136 – 6 th Street P.O. Box 773598 Steamboat Springs, Colorado 80477 Phone Number: (970) 870-5317 Fax Number: (970) 870-5381	Docket Number: 42428 Single County Schedule Number: R8166241 JUN 21 AM 7:53
STIPULATION (As to Tax Year 2003 Actual Value)	

Petitioner and Respondent hereby enter into this 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.

Petitioner and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as: Development Parcels 1-5, Gondola Square Condominiums - Total 1.49A.

2. The subject property currently is classified as Commercial.

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2003:

Land	\$2,235,000.00
Improvements	0
Total	\$2,235,000.00

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

Land	\$2,235,000.00
Improvements	0
Total	\$2,235,000.00

5. After further review and negotiation, Petitioner and Respondent agree to the tax year 2003 actual value for the subject property:

Land	\$0
Improvements	<u>0</u>
Total	\$0

6. The valuation, as established above, shall be binding only with respect to tax year 2003.

7. Petitioner contends that the Development Parcels, which are the subject of this appeal, are not "real property" within the meaning of Title 39 of the Colorado Revised Statutes, and thus are not legally subject to valuation and taxation as real property. Petitioner alternatively asserts that, even if the Development Parcels could be valued and taxed as "real property," any value that could be assigned to said parcels is already recognized in the individual condominium unit values in Gondola Square, and to assign additional value to the Development Parcels would result in a double taxation. Respondent, although not conceding Petitioner's argument that the Development Parcels are not separately subject to valuation and taxation as "real property," nevertheless concedes the validity of Petitioner's alternative argument that any value that could be assigned to the Development Parcels would merely duplicate the values already assigned to the individual condominium units. The Petitioner and Respondent have reached a compromise and settlement and have elected not to litigate the legal issue of whether the Development Parcels may be separately valued and taxed as real property pursuant to Title 39 of the Colorado Revised Statutes.

8. The hearing scheduled before the Board of Assessment Appeals on June 8, 2004 at 8:30 a.m. has been vacated.

DATED this 15th day of June, 2004.

Thomas E. Downey, Jr.
Petitioner

Thomas E. Downey, Jr. 9686
Downey & Knickrehm
733 East Eighth Avenue
Denver, CO 80203
(303) 813-1111

[Signature]
County Attorney for Respondent,
Board of Equalization
John D. Merrill, Reg. No. 19505
Routt County Attorney
P.O. Box 773598
Steamboat Springs, CO 80477
(970) 870-5317

[Signature]
County Assessor
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