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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> | <p><b>Docket Number: 42677</b></p> |
| <p>Petitioner:<br/><b>ERP OPERATING LTD,</b></p> <p>v.</p> <p>Respondent:<br/><b>DENVER COUNTY BOARD OF EQUALIZATION.</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.: 00173-08-002-000**

**Category: Valuation      Property Type: Residential**
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:  
  

**Total Value:            \$45,400,000**

(Reference 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 Denver County Assessor is directed to change his/her records accordingly.

**DATED AND MAILED** this 31st day of December 2005.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record

December 29, 2005

*Karen E Hart*

Karen E. Hart

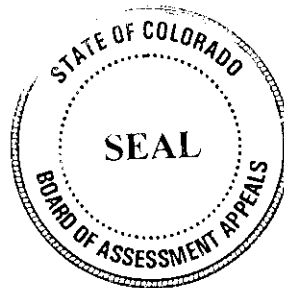
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

*Debra A. Baumbach*

Debra A. Baumbach

Keela Steele

*Keela Steele*



|   |   |
|---|---|
| <b>BOARD OF ASSESSMENT APPEALS</b><br><b>STATE OF COLORADO</b><br>1313 Sherman Street, Room 315<br>Denver, Colorado 80203   | Docket Number:<br><br>42677<br><br>Schedule Number:<br><br>0173-08-002<br><br>2005 DEC 29 PM 1:39<br>STATE OF COLORADO<br>BOARD OF ASSESSMENT APPEALS |
| Petitioner:<br><br><b>ERP OPERATING LTD</b><br><br>v.<br><br>Respondent:<br><br><b>DENVER COUNTY BOARD OF EQUALIZATION</b>  |   |
| Attorneys for Denver County Board of Equalization<br><br>Cole Finegan #16853<br>City Attorney<br><br>Max Taylor #35403<br>Assistant City Attorney<br>201 West Colfax Avenue, Dept. 1207<br>Denver, Colorado 80202<br>Telephone: 720-913-3275<br>Facsimile: 720-913-3180 |   |
| <b>STIPULATION (AS TO TAX YEAR 2003 ACTUAL VALUE)</b>   |   |

Petitioner, ERP OPERATING LTD, and Respondent, DENVER COUNTY BOARD OF EQUALIZATION, hereby enters 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.

The Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as:  
  
 16199 E. 48<sup>th</sup> Ave.  
 Denver, Colorado
  
2. The subject property is classified as residential property.

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

|              |    |                      |
|--------------|----|----------------------|
| Land         | \$ | 4,822,000.00         |
| Improvements | \$ | <u>46,393,008.00</u> |
| Total        | \$ | 51,215,008.00        |

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

|              |    |                      |
|--------------|----|----------------------|
| Land         | \$ | 4,822,000.00         |
| Improvements | \$ | <u>44,178,000.00</u> |
| Total        | \$ | 49,000,000.00        |

5. After further review and negotiation, the Petitioner and Denver County Board of Equalization agree to the following actual value for the subject property for tax year 2003.

|              |    |                      |
|--------------|----|----------------------|
| Land         | \$ | 4,822,000.00         |
| Improvements | \$ | <u>40,578,000.00</u> |
| Total        | \$ | 45,400,000.00        |

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

7. Brief narrative as to why the reduction was made:

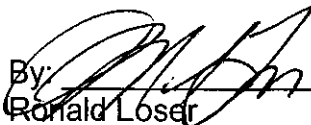
Sales support a value of \$45,500,000 or approximately \$95,600 per unit.

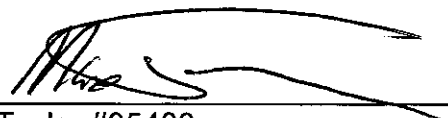
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on January 4, 2005 at 3:00 p.m. be vacated.

DATED this 28<sup>th</sup> day of December, 2005.

Attorney for Petitioner

Denver County Board of Equalization

By:  #1685  
Ronald Loser  
Robinson, Waters and O'Dorisio  
1099 18th Street  
Suite 2600  
Denver, CO 80202-1926 1685  
(303) 297-2600

By:   
Max Taylor #35403  
201 West Colfax Avenue, Dept. 1207  
Denver, CO 80202  
Telephone: 720-913-3275  
Fax: 720-913-3180  
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