

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner: MCDONALDS CORP., v. Respondent: BOULDER COUNTY BOARD OF EQUALIZATION.	
Attorney or Party Without Attorney for the Petitioner: Name: Jack P. Hanna CBIZ Property Tax Solutions, Inc. Address: P.O. Box 2798 Littleton, CO 80161-2798 Phone Number: 303.850.9945	Docket Number: 43008
ORDER ON STIPULATION	

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.: R0083942

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:	\$ 548,100.00
Improvements:	<u>\$ 520,900.00</u>
Total:	\$1,069,000.00

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.

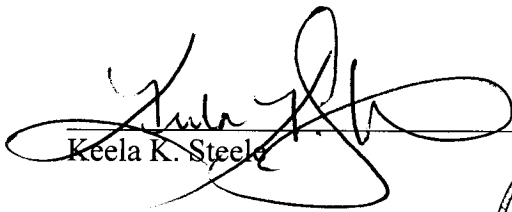
The Boulder County Assessor is directed to change his/her records accordingly.

DATED/MAILED this 30th day of October, 2004.

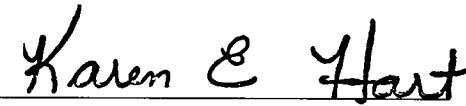
This decision was put on the record

October 29, 2004


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


Keela K. Steele

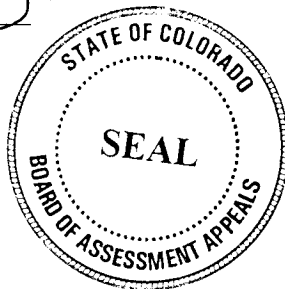
BOARD OF ASSESSMENT APPEALS



Karen E. Hart



Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
DOCKET NUMBER(s): 43008

County Account Numbers: R0085942
STIPULATION (As To Tax Year 2003 Actual Value) PAGE 1 OF 2

Petitioner(s), McDonalds Corporation 84/05

vs.

BOULDER COUNTY BOARD OF EQUALIZATION,

Respondent

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

1. The property subject to this Stipulation is described as follows: 245 S. Main Street, Longmont, CO.
2. The subject property is classified as a fast food restaurant.
3. The County Assessor assigned the following actual value to the subject property for tax year 2003:

Land	\$548,100
Improvements	<u>\$692,700</u>
Total	\$1,240,800

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

Land	\$ 548,100
Improvements	<u>\$ 692,700</u>
Total	\$ 1,240,800

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

Land	\$548,100
Improvements	<u>\$ 520,900</u>
Total	\$ 1,069,000

Petitioner's Initials DPH
Date 10/20/04

OCT 29 PM 1:06
BOARD OF ASSESSMENT APPEALS

Docket Number: 43008

County Schedule Numbers: R0083942

STIPULATION (As To Tax Year 2003 Actual Value)

- 6. The valuation, as established above, shall be binding only with respect to tax year 2003.
- 7. Brief narrative as to why the reduction was made: based on the subject's large building size compared to the comparables smaller building size, no fast food sales in Boulder County since 1999 and the equity of other fast food restaurants in Longmont, the subject was adjusted downward.
- 8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on November 30, 2004 at 9:45 AM be vacated.
- 9. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.
- 10. This Agreement does not prohibit the Assessor from increasing or decreasing the value for the 2004 tax year due to unusual conditions. Unusual conditions are referenced in 39-1-104(11) (b) (I), Colorado Revised Statutes, and include installation of an on-site improvement, the ending of the economic life of an improvement with only salvage value remaining, the addition to or remodeling of a structure, a change of use of the land, creation of a condominium ownership, or any new regulations restricting or increasing the use of the land or a combination thereof.

DATED this 26th day of October, 2004.

[Signature]
Petitioner(s) or Attorney

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CINDY DOMENICO
Boulder County Assessor

By: [Signature]
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