

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>2512 BROADWAY LLLP,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>BOULDER COUNTY BOARD OF EQUALIZATION.</b></p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Bartley A. Costello, Jr., Esq. Address: 1650 38<sup>th</sup> Street, Suite 201 West Boulder, CO 80301-2637 Phone Number: (303) 442-7200</p>	<p><b>Docket Number: 43428</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.: R0005803**

**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:	\$ 858,300.00
Improvements:	<u>\$ 141,700.00</u>
Total:	\$1,000,000.00

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

**DATED/MAILED** this 22<sup>nd</sup> day of February, 2005.

This decision was put on the record

February 18, 2005

**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

Penny S. Lowenthal  
Penny S. Lowenthal



BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO  
DOCKET NUMBER(s): 43428

County Account Numbers: 0005803

~~STIPULATION (As To Tax Year 2003 Actual Value)~~

PAGE 1 OF 2

2512 BROADWAY LLLP

Petitioner(s),

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: Lots 8, 9 & 10 Less Most Sly pt & Including S 1/2 alley adj to North of lots 8, 9 & 10 Blk 4 North Boulder
2. The subject property is classified as Commercial Property.
3. The County Assessor assigned the following actual value to the subject property for tax year 2003:

Land	\$1,287,000
Improvements	\$ 141,700
Total	\$ 1,428,700

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

Land	\$ 1,287,000
Improvements	\$ 141,700
Total	\$ 1,428,700

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	\$ 858,300
Improvements	\$ 141,700
Total	\$ 1,000,000

Petitioner's Initials BAC

Date 2-15-05

Docket Number: 43428

County Schedule Numbers: 0005803

STIPULATION (As To Tax Year 2003 Actual Value)

PAGE 2 OF 2

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: The petitioner provided information concerning Potential contaminants to the ground and to the buildings, which influence the final value of this property.
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on March 9, 2005 at 08:30 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 18<sup>th</sup> day of February, 2005

BART CUSTELLO, Esq Bart Custello #13711  
Petitioner(s) or Attorney

2-15-05

Address:

1650 38TH STREET  
SUITE 201 W  
BOULDER, CO  
80301-2601

Telephone:

(303) 442-7200

Michael Koertje  
MICHAEL KOERTJE #21921  
Assistant County Attorney  
P. O. Box 471  
Boulder, CO 80306-0471  
Telephone (303) 441-3190

CINDY DOMENICO  
Boulder County Assessor

By: Samuel Forsyth  
SAMUEL M. FORSYTH  
Chief Deputy Assessor  
P. O. Box 471  
Boulder, CO 80306-0471  
Telephone: (303) 441-4844