

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>WINTERGREEN HOMES—BRETT RANCH LLC,</p> <p>v.</p> <p>Respondent:</p> <p>EAGLE COUNTY BOARD OF COMMISSIONERS.</p>	
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Barry J. Goldstein, Esq. Sterling Equities, Inc.</p> <p>Address: 950 S. Cherry St., #320 Denver, CO 80246</p> <p>Phone Number: 303.757.8865</p>	<p>Docket Number: 43551</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.: R048478+1

Category: Refund / Abatement Property Type: Vacant Land
2. Petitioner is protesting the 2001 and 2002 actual value of the subject property.

3. The parties agreed that the 2001 and 2002 actual value of the subject property should be reduced to:

[PLEASE REFERENCE ATTACHED STIPULATION]

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2001 and 2002 actual value of the subject property, as set forth above.

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

DATED/MAILED this 5th day of February, 2005.

This decision was put on the record

February 3, 2005

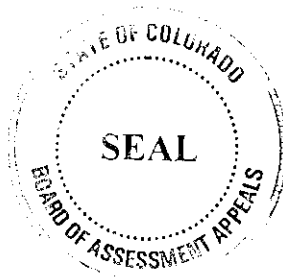
BOARD OF ASSESSMENT APPEALS

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

Keela K. Steele
Keela K. Steele



<p>BOARD OF ASSESSMENT APPEALS STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, CO 80203</p> <hr/> <p>Petitioner: Wintergreen Homes - Brett Ranch LLC</p> <p>v.</p> <p>Respondent: EAGLE COUNTY BOARD OF EQUALIZATION</p> <hr/> <p>Diane H. Mauriello, No. 21355 Bryan R. Treu, No. 29577 Debbie Faber, No. 33824 Walter Mathews, No. 31109 Eagle County Attorney P.O. Box 850 Eagle, Colorado 81631 970.328.8685 Fax: 970.328.8699</p>	<p style="text-align: center;">COURT USE ONLY</p> <hr/> <p>Docket No. 43551</p> <p>Schedule No: R048478 and R048479</p> <p style="text-align: right; font-size: small;"> RECEIVED 05 FEB -3 PM 12:17 BOARD OF ASSESSMENT APPEALS </p>
<p>STIPULATION</p>	

The Petitioner and the Eagle County Board of Equalization ("the Board") hereby enter into this Stipulation regarding the tax year 2001 and 2002 valuation of the subject properties.

The Petitioner and the Board agree and stipulate as follows:

1. The properties subject to this Stipulation are described as:

Parcel No. 210506101016
 Schedule No. R048478
 Brett Ranch PUD Tract H

Parcel No. 210506101017
 Schedule No. R048479
 Brett Ranch PUD Tract G

2. The subject properties are classified as Vacant Land.
3. The County Assessor assigned the following adjusted actual value to the subject properties for tax year 2001 and 2002.

Schedule No. R048478

Land Value \$ 132,290.00
Improvement Value \$ -0-
Total \$ 132,290.00

Schedule No. R048479

Land Value \$ 42,150.00
Improvement Value \$ -0-
Total \$ 42,150.00

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

Schedule No. R048478

Land Value \$ 132,290.00
Improvement Value \$ -0-
Total \$ 132,290.00

Schedule No. R048479

Land Value \$ 42,150.00
Improvement Value \$ -0-
Total \$ 42,150.00

5. After further review and negotiation, Petitioner and Board agree to the tax year 2001 and 2002 actual value for the subject property as follows:

Schedule No. R048478

Land Value \$ 67,060.00
Improvement Value \$ -0-
Total \$ 67,060.00

Schedule No. R048479

Land Value \$ 21,370.00
Improvement Value \$ -0-
Total \$ 21,370.00

- 6. The valuation shall be binding with respect to only tax year 2001 and 2002.
- 7. Brief narrative as to why the reduction was made:

Schedule No. R048478:

Petitioner appealed through the abatement process for tax years 2001 and 2002. The property was valued at \$3,500.00 per acre. The recommended value above is at \$1,500.00 per acre as negotiated between the Eagle County Attorney's Office and the petitioner. Both parties have agreed to the negotiated amount above.

Schedule No R048479:

Petitioner appealed through the abatement process for tax years 2001 and 2002. The property was valued at \$3,500.00 per acre. The recommended value above is at \$1,500.00 per acre as negotiated between the Eagle County Attorney's Office and the petitioner. Both parties have agreed to the negotiated amount above.

8. Both parties agree that the hearing scheduled before the Board of Assessment appeals be vacated.

DATED this 27 day of June, 2005.

EAGLE COUNTY ATTORNEY'S OFFICE

By: 

Bryan R. Treu
Assistant County Attorney

Petitioner:

Taxpayer name


Windsong Homes, Dept. Canyon LLC

By: _____

Barry Goldstein # 2218
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