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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>COLORADO CINEMA HOLDINGS LLC,</p> <p>v.</p> <p>Respondent:</p> <p>BOULDER COUNTY BOARD OF EQUALIZATION.</p> | |
| <p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Patrick C. Sullivan Sullivan Valuation Services Group, LLC</p> <p>Address: P.O. Box 17004 Golden, CO 80402</p> <p>Phone Number: 303.273.0138</p> | <p>Docket Number: 43584 (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.: R0120162

Category: Refund / Abatement Property Type: Commercial
2. Petitioner is protesting the 2001 actual value of the subject property.

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

| | |
|---------------|-----------------------|
| Land: | \$2,313,000.00 |
| Improvements: | <u>\$3,087,000.00</u> |
| Total: | \$5,400,000.00 |

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2001 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 21st day of April, 2005.

This decision was put on the record

April 20, 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



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
DOCKET NUMBER(s): 43584

County Account Numbers: R0120162

STIPULATION (As To Tax Year 2001 Actual Value)

PAGE 1 OF 2

Petitioner(s), COLORADO CINEMA HOLDINGS LLC

vs.

BOULDER COUNTY BOARD OF EQUALIZATION,

Respondent

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2001 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:

LOT 5 COLONY SQUARE
1164 DILLON RD, LOUISVILLE, COLORADO

- 2. The subject property is classified as Multi-plex Cinema.

- 3. The County Assessor assigned the following actual value to the subject property for tax year 2001:

| | |
|--------------|--------------|
| Land | \$ 2,313,000 |
| Improvements | \$ 3,687,000 |
| Total | \$ 6,000,000 |

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

| | |
|--------------|--------------|
| Land | \$ 2,313,000 |
| Improvements | \$ 3,687,000 |
| Total | \$ 6,000,000 |

- 5. After further review and negotiation, Petitioner(s) and County Board of Equalization agree to the following tax year 2001 actual value for the subject property:

| | |
|--------------|--------------|
| Land | \$ 2,313,000 |
| Improvements | \$ 3,087,000 |
| Total | \$ 5,400,000 |

Petitioner's Initials _____

Date _____

12/17/04 17:29 FAX 303 441 4998

BOULDER COUNTY ASSESSOR

004

Docket Number: 43584

County Schedule Number: R0120162

STIPULATION (As To Tax Year 2001 Actual Value)

PAGE 2 OF 2

- 6. The valuation, as established above, shall be binding only with respect to tax year 2001.
- 7. Brief narrative as to why the reduction was made:
The value was further adjusted based on further analysis of the three approaches to value.
- 8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals, not yet scheduled, 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 2002 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 28 day of MARCH, 2005.

TC Sullivan Agent for Petitioners
Petitioner(s) or Attorney

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CINDY DOMENICO
Boulder County Assessor

By: Samuel M. Forsyth
SAMUEL M. FORSYTH
Chief Deputy Assessor
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| BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203 | | |
| Petitioner: COLORADO CINEMA HOLDINGS LLC, v. Respondent: BOULDER COUNTY BOARD OF EQUALIZATION. | | |
| Attorney or Party Without Attorney for the Petitioner: Name: Patrick C. Sullivan Sullivan Valuation Services Group, LLC Address: P.O. Box 17004 Golden, CO 80402 Phone Number: 303.273.0138 | | Docket Number: 43584 (Partial) |
| ORDER ON WITHDRAWAL | | |

THIS MATTER was not scheduled for a hearing before the Board of Assessment Appeals. On April 18, 2005, the Board received Petitioner's request to withdraw the 2002 tax year appeal for the above-captioned appeal. The Board has approved Petitioner's request.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

Schedule No.: R0120162

Category: Refund / Abatement Property Type: Commercial

2. Petitioner is protesting the 2002 actual value of the subject property.

ORDER:

Petitioner's request for withdrawal is granted; therefore, the Board will take no further action on this matter.

DATED and MAILED this 21st day of April, 2005.

BOARD OF ASSESSMENT APPEALS

Karen E Hart

Karen E. Hart

Debra A. Baumbach

Debra A. Baumbach

This decision was put on the record

April 20, 2005

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

Keela K. Steele
Keela K. Steele



