

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>DEER CREEK WATER, INC.,</p> <p>v.</p> <p>Respondent:</p> <p>PROPERTY TAX ADMINISTRATOR</p>	<p>Docket Number: 44999</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:

Division of Property Tax File No.: WA121

Category: Valuation Property Type: State Assessed

2. Petitioner is protesting the 2005 actual value of the subject property.
3. The parties agreed that the 2005 actual value assigned to the subject property is:

Total Value: \$99,000.00

(Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

The Board hereby enters its Order approving the stipulated 2005 value assigned to this property, as set forth above.

The Property Tax Administrator is directed to change her records accordingly.

DATED/MAILED this 5th day of April, 2007.

This decision was put on the record

April 4, 2007

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

Marian Brennan
Marian Brennan



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
Docket Number 44999
Division of Property Taxation Schedule Number WA121**

STIPULATION AND JOINT MOTION FOR ORDER

DEER CREEK WATER INC.

Petitioner(s),

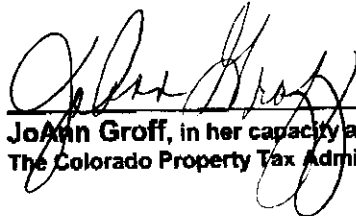
vs.


PROPERTY TAX ADMINISTRATOR,

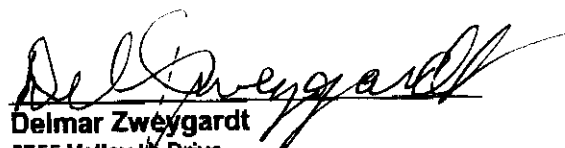
Respondent.

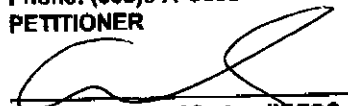
1. Petitioner Delmar Zwegardt, through his attorney Anthony J. DiCola, and Respondent Property Tax Administrator hereby stipulate that the actual value assigned to the property that is the subject of this appeal for tax year 2005 is \$99,000 with an assessed value of \$28,700. This value is apportioned to Elbert County.
2. The parties agree that Petitioner will withdraw their Petition to State Board of Assessment Appeals currently held in abeyance that is docketed as Docket Number 44999. Petitioner also agrees not to seek abatement or refund of property taxes for the 2003, 2004, and/or 2005 property tax assessments for Deer Creek Water, Inc.
3. Respondent agrees to issue a memorandum of abatement to the Elbert County Assessor rescinding the previously determined omitted property assessments established for Petitioner for assessment years 1999, 2000, 2001, and 2002.
4. The parties request that the Board enter an Order approving the stipulated 2005 value assigned to this property. Each party will bear its own costs in connection with this appeal.

Respectfully submitted this 3 day of April, 2007.


JoAnn Groff, in her capacity as
The Colorado Property Tax Administrator


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PETITIONER


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