BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO

1313 Sherman Street, Room 315 Denver, Colorado 80203

Petitioner:

DIAMOND SHAMROCK STATIONS, INC.,

v.

Respondent:

EL PASO COUNTY BOARD OF COMMISSIONERS.

ORDER ON STIPULATION

Docket Number: 47767

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.: 2,728

Category: Abatement Property Type: Commercial Personal

- 2. Petitioner is protesting the 2004 actual value of the subject property.
- 3. The parties agreed that the 2004 actual value of the subject property should be reduced to:

Total Value:

\$159,208

(Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2004 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 24th day of December 2007.

BOARD OF ASSESSMENT APPEALS

This decision was put on record

December 20, 2007

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

Toni Rigirozzi

BOARD OF ASSESSMENT APPEALS STATE OF COLORADO

Docket Number: 47767 El Paso County Personal Property Schedule Number: 2	728		
STIPULATION (As to Tax Year 2004 Actual Value)			
Diamond Shamrock Stations, Inc.			
Petitioner(s),			
vs.			
EL PASO COUNTY BOARD OF COMMISSIONERS,			
Respondent			
Petitioner(s) and Respondent hereby enter into the subject Personal Property, and jointly move the Box Petitioner(s) and Respondent agree and stipulate 1. The Personal Property subject to this Stipulation 4825 GALLEY ROAD 2. The subject property is classified as Personal 3. The County Assessor originally assigned the following the personal tax year 2004:	ard of Assessment Appeals to as follows: on is located at: Property.	enter its order based on	this Stipulation.
Personal Propert 4. After a timely appeal to the Board of Commissi Personal Property as follows:	, , , , , , , , , , , , , , , , , , , ,	0	STATE OF COLU
Personal Propert	y: \$203,740.00	PM 12: 22	Pio E

5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year **2004** actual value for the subject Personal Property:

Personal Property:

\$159,208.00

- 6. The valuation, as established above, shall be binding only with respect to tax year 2004.
- 7. Brief narrative as to why the reduction was made:

Further review indicates Personal Property was overvalued for tax year 2004.

8. Both parties agree that the hearing, as yet unscheduled before the Board of Assessment Appeals, be vacated.

DATED this 29th day of November, 2007

Petitioner(s)

By: Christopher C. Rosas, Esq. Burleson Cooke, LLP

Address: 711 Louisiana Street, Suite 1701

Houston, TX 77002-2783

Address: 27 East Vermijo

Colorado Springs, CO 80903

County Attorney for Respondent, 5

Board of Equalization

Telephone: (713) 358-1712

Telephone: (719) 520-6485

Mark Lowderman, County Assessor

Address: 27 East Vermijo

Colorado Springs, CO 80903

Telephone: (719) 520-6605

Docket Number: 47767

StipCnty.Aba