

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 48444</b>
Petitioner: <b>HOLCIM (US) INC.,</b>  v.  Respondent: <b>FREMONT COUNTY BOARD OF EQUALIZATION.</b>	
<b>ORDER ON STIPULATION</b>	

**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.: 66002030+16**

**Category: Valuation      Property Type: Vacant Land**

2. Petitioner is protesting the 2007 actual value of the subject property.
3. The parties agreed that the 2007 actual value of the subject property should be reduced to:

**Total Value:            \$44,891,393**  
 (Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2007 actual value of the subject property, as set forth above.

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

**DATED AND MAILED** this 1st day of December 2008.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record

November 28, 2008

*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

*Heather Flannery*

Heather Flannery



<b>COLORADO BOARD OF ASSESSMENT APPEALS</b> 1313 Sherman Street, Room 315 Denver, CO 80203		2008 NOV 13 11:2:23
<b>Petitioner:</b> Holcim (US) Inc.  v.  <b>Respondent:</b> Fremont County Board of Equalization		
<b>Attorney for Petitioner:</b>  Name: Alan Poe Address: Holland & Hart LLP 8390 E. Crescent Parkway, Suite 400 Greenwood Village, CO 80111-2800  Telephone: (303) 290-1616 Facsimile: (303) 975-5295 E-mail: apoe@hollandhart.com Atty. Reg. #: 7641		Docket No. 48444  Schedule No. 66002030+16
<b>STIPULATION</b>		

Petitioner Holcim (US) Inc. ("Holcim") and Respondent Fremont County Board of Equalization, by their respective attorneys of record, stipulate to the following:

1. The actual value assigned to schedule number 98904321 for tax year 2007 is reduced to \$0.
2. The actual value assigned to schedule number 99104227 for tax year 2007 is reduced to \$0.
3. The actual value assigned to schedule number 99204476 for tax year 2007 is reduced to \$0.
4. The actual value assigned to schedule number 99604171 for tax year 2007 is reduced to \$0.
5. The actual value assigned to schedule number 99920370 for tax year 2007 is reduced to \$0.
6. The actual value assigned to schedule number 69007450 for tax year 2007 should remain at \$42,872.

7. The actual value assigned to schedule number 99504517 for tax year 2007 should remain at \$255.

8. The actual value assigned to schedule number 98304226 for tax year 2007 should remain at \$9,552.

9. The actual value assigned to schedule number 98304227 for tax year 2007 should remain at \$1,379.

10. The actual value assigned to schedule number 98304228 for tax year 2007 should remain at \$172.

11. The actual value assigned to schedule number 98304229 for tax year 2007 should remain at \$138.

12. The actual value assigned to schedule number 66002030 for tax year 2007 is reduced to \$22,650.

13. The actual value assigned to schedule number 99927140 for tax year 2007 should remain at \$705,602.

14. The actual value assigned to schedule number 99920372 for tax year 2007 should remain at \$8,887,200.

15. The actual value assigned to schedule number 98405019 for tax year 2007 is reduced to \$32,478,324 and is allocated as follows:

- Vacant land: \$1,986,845
- Natural Resources: \$7,570,983
- Residential: \$22,927
- Industrial: \$22,897,569

16. The actual value assigned to schedule number 98405020 for tax year 2007 is reduced to \$245,897.

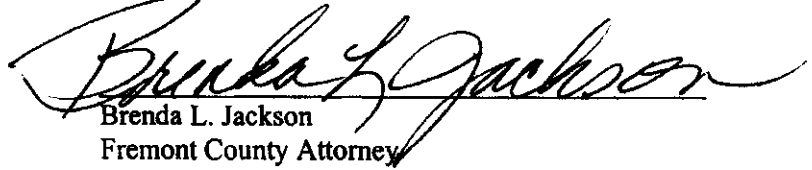
17. The actual value assigned to schedule number 98405021 for tax year 2007 should remain at \$2,497,352.

18. The parties are agreeing to the actual values set forth in this Stipulation as a compromise of disputed issues, in order to avoid the necessity of further litigation with respect to those issues for tax year 2007. The parties acknowledge that the same base period level of value applies to tax year 2007 and tax year 2008. However, the parties do not intend for the stipulated compromise actual values set forth in this Stipulation to be binding on the parties for tax year 2008, or for any other tax year. The parties acknowledge that the actual values for tax year 2008 and for future tax years will be established through separate negotiations and, if necessary, litigation between the parties, and that the final actual values for tax year 2008 or for any other tax year may be different from the stipulated compromise actual values for tax year 2007 set

forth in this Stipulation. Notwithstanding the foregoing, the parties agree that for all future years a 50-year economic life is applicable to the North and South Clinker Silos, but the parties acknowledge that such agreement does not constitute agreement on any other aspect of the valuation of the North and South Clinker Silos (including, without limitation, the reproduction or replacement cost or the amount, if any, of functional or economic obsolescence) for tax year 2008 and for any other tax year.

Dated: November 25, 2008.

Respectfully submitted,

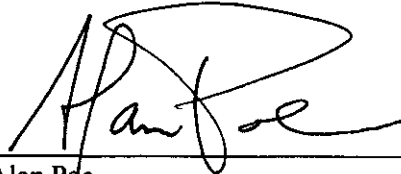


Brenda L. Jackson

Fremont County Attorney

**ATTORNEY FOR RESPONDENT**

**FREMONT COUNTY BOARD OF EQUALIZATION**



Alan Poe

Holland & Hart LLP

**ATTORNEYS FOR PETITIONER**

**HOLCIM (US) INC.**