

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 48675</b>
Petitioner: <b>5454 HAVANA LLC,</b>  v.  Respondent: <b>DENVER COUNTY BOARD OF COMMISSIONERS.</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.: 01142-01-011-000**  
     **Category: Abatement      Property Type: Industrial**
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:            \$2,233,300**  
     (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 Denver County Assessor is directed to change his/her records accordingly.

**DATED AND MAILED** this 4th day of December 2008.

**BOARD OF ASSESSMENT APPEALS**

This decision was put on record

December 3, 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

Toni Rigirozzi  
Toni Rigirozzi



<b>BOARD OF ASSESSMENT APPEALS</b> <b>STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	2008 DEC -3 11:12:17  Docket Number: 48675  Schedule Number: 1142-01-011
Petitioner:  <b>5454 HAVANA LLC</b>  v.  Respondent:	
<b>DENVER COUNTY BOARD OF COMMISSIONERS</b> Attorneys for Denver County Board of Commissioners  City Attorney  Eugene J. Kottenstette #6391 Assistant City Attorney 201 West Colfax Avenue, Dept. 1207 Denver, Colorado 80202 Telephone: 720-913-3275 Facsimile: 720-913-3180	
<b>STIPULATION (AS TO TAX YEAR 2004 ACTUAL VALUE)</b>	

Petitioner, 5454 HAVANA LLC, and Respondent, DENVER COUNTY BOARD OF COMMISSIONERS, hereby enters into this Stipulation regarding the tax year 2004 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

The Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is described as:  
     5454-5500 Havana St.  
     Denver, Colorado 80239
2. The subject property is classified as commercial property.
3. The County Assessor originally assigned the following actual value on the subject property for tax year 2004.

Land	\$	414,100.00
Improvements	\$	<u>2,337,300.00</u>
Total	\$	2,751,400.00

4. After appeal to the Denver County Board of Commissioners, the Denver County Board of Commissioners valued the subject property as follows:

Land	\$	414,100.00
Improvements	\$	<u>2,337,300.00</u>
Total	\$	2,751,400.00

5. After further review and negotiation, the Petitioner and Denver County Board of Commissioners agree to the following actual value for the subject property for tax year 2004.

Land	\$	414,100.00
Improvements	\$	<u>1,819,200.00</u>
Total	\$	2,233,300.00

6. The valuations, as established above, shall be binding only with respect to tax year 2004.

7. Brief narrative as to why the reduction was made:

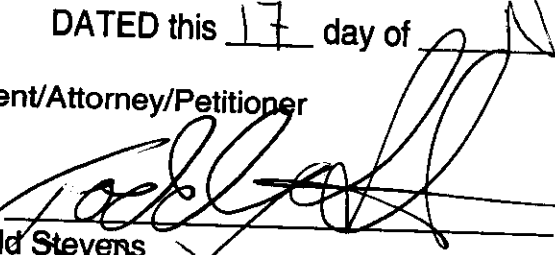
The actual leases, which were supplied by the petitioner, were considered in adjusting the total value for the subject to \$2,233,300.00

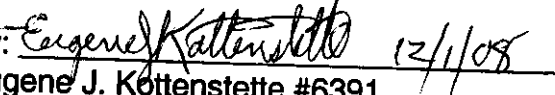
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on November 17, 2008 at 8:30 AM be vacated.

DATED this 17 day of November, 2008.

Agent/Attorney/Petitioner

Denver County Board of Commissioners

By:   
 Todd Stevens  
 640 Plaza Drive, Suite #280  
 Littleton, CO 80129  
 303-347-1878

By:  12/1/08  
 Eugene J. Kottenstette #6391  
 201 West Colfax Avenue, Dept. 1207  
 Denver, CO 80202  
 Telephone: 720-913-3275  
 Fax: 720-913-3180  
 Docket No: 48675

Todd J. Stevenes  
 Stevens & Associates Inc.  
 640 Plaza Dr. Suite 290  
 Littleton, CO 80129  
 303-347-1878