

BOARD OF ASSESSMENT APPEALS,

STATE OF COLORADO

1313 Sherman Street, Room 315
Denver, Colorado 80203

Docket Number: 50836

Petitioner:

1290 BROADWAY LAND LLC,

v.

Respondent

DENVER COUNTY BOARD OF EQUALIZATION.

ORDER RESCINDING ORDER ON WITHDRAWAL

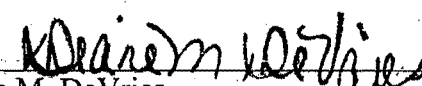
On July 30, 2009 pursuant to a Withdrawal Letter received July 29, 2009, the Board of Assessment Appeals issued an Order on Withdrawal. On May 13, 2011, the Board of Assessment Appeals received a Request to Rescind Order on Withdrawal from the Petitioner's attorney. The Petitioner's Attorney had signed and submitted the Withdrawal Letter in error. A Stipulation with the Denver County Board of Equalization dated May 12, 2011 has been received. Denver County agrees to uphold the signed Stipulation.

ORDER:

The Order on Withdrawal dated July 30, 2009 is hereby rescinded.


DATED and MAILED this 20th day of May, 2011.

BOARD OF ASSESSMENT APPEALS




Diane M. DeVries

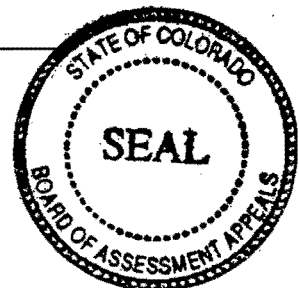
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.



Cara McKeller



Debra A. Baumbach



BOARD OF ASSESSMENT APPEALS**STATE OF COLORADO**

1313 Sherman Street, Room 315
Denver, Colorado 80203

Petitioner:

1290 BROADWAY LAND LLC

v.

Respondent:

BOARD OF EQUALIZATION OF THE CITY AND
COUNTY OF DENVER.

Attorneys for 1290 BROADWAY LAND LLC

Ronald S. Loser, #1685
Robinson Waters & O'Dorisio, P.C.
1099 18th Street, #2600
Denver, CO 80202
Telephone No.: 303-297-2600
Facsimile No.: 303-297-2750
e-mail: rloser@rwolaw.com

Docket No.

50836

Schedule Numbers:

05033-10-008
05033-10-009
05033-10-010
05033-10-011
05033-10-040
05033-10-041

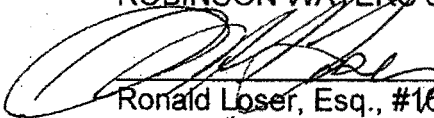
REQUEST TO RESCIND ORDER ON WITHDRAWAL

Petitioner's undersigned counsel erroneously filed a Withdrawal of the Appeal by Petitioner, 1290 Broadway Land LLC, as the result of confusion by the undersigned concerning e-mail messages received during latter July and early August 2009

WHEREFORE, it is respectfully requested that the Board enter an Order rescinding the Order of Withdrawal entered on July 30, 2009 and enter an Order of Stipulation pursuant to the Stipulation received by the Board by letter dated May 13, 2011 from Michelle Bush.

Respectfully submitted this 13th day of May, 2011.

ROBINSON WATERS & O'DORISIO, PC

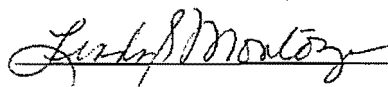


Ronald Loser, Esq., #1685
1099 18th Street, Suite 2600
Denver, CO 80202

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of May, 2011, a true and correct copy of the foregoing was duly served electronically addressed to the following:

Michelle Bush
Board of Equalization of the
City and County of Denver
201 West Colfax Ave, Dept. 1207
Denver, CO 80202



BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 50836
Petitioner: 1290 BROADWAY LAND LLC, v. Respondent: DENVER COUNTY BOARD OF EQUALIZATION.	
ORDER ON WITHDRAWAL	

The Board received Petitioner's request to withdraw the above-captioned appeal on July 29, 2009. The Board has approved Petitioner's request.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:
 County Schedule No.: 05033-10-008-000+5
 Category: Valuation Property Type: Commercial Real
2. Petitioner is protesting the 2008 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 30th day of July 2009.

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

Toni Rigirozzi

Toni Rigirozzi



If at any time you decide you DO NOT wish to pursue your appeal and choose to withdraw, please sign this letter and return it to the Board of Assessment Appeals.

Ronald S. Loser Esq.
ROBINSON WATERS & O'DORISIO
1099 18TH STREET, SUITE 2600
Denver, CO 80202-1926

STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS
2009 JUL 29 PM 1:07

Date: _____

Docket No.: 50836
Hearing Date: August 13, 2009


To: Board of Assessment Appeals
1313 Sherman Street, Room 315
Denver, CO 80203

Via Facsimile: 303.866.4485

I no longer wish to pursue this matter and request that my property tax appeal be withdrawn. I understand that, by withdrawing this appeal, I relinquish all rights to obtaining a reduction in value for the subject property for tax year(s) 2008. I understand that this withdrawal letter should not be mailed or faxed if I have reached an agreement (stipulation) with the Denver County Board Of Equalization resulting in a reduction in value.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was mailed, faxed, or hand delivered to the Denver County Board Of Equalization located at 201 W Colfax Ave, Dept 406, Denver, CO, 80202 on the date referenced above.

 #1685
Signature: Ronald S. Loser Esq.

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**

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v.

Respondent:

DENVER COUNTY BOARD OF EQUALIZATION

AMENDMENT TO ORDER (On Stipulation)

THE BOARD OF ASSESSMENT APPEALS hereby amends its July 30, 2009 Order in the above-captioned appeal to reflect that the correct stipulated amount should be \$34,096,700.00

In all other respects, the July 30, 2009 Order shall remain in full force and effect.

DATED/MAILED this 20th day of May, 2011.

BOARD OF ASSESSMENT APPEALS

Diane DeVries

Diane DeVries

Debra A. Baumbach

Debra A. Baumbach

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

CM

Cara McKeller



BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO
1313 Sherman Street, Room 315
Denver, Colorado 80203

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Attorneys for 1290 BROADWAY LAND LLC

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05033-10-041

STIPULATION (AS TO TAX YEAR 2008 ACTUAL VALUE)

Petitioner, 1290 BROADWAY LAND LLC, and Respondent, BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER, hereby enter into this Stipulation regarding tax year 2008 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this Stipulation.

The Petitioner and Respondent agree and stipulate as follows:

1. This appeal was erroneously withdrawn by Petitioner and Petitioner and Respondent request that the Board of Assessment Appeals rescind the Order of Withdrawal and enter an Order under this Stipulation

2. The property subject to this Stipulation is described as:

1200-290 Broadway; 41 East 12th Avenue; 1225-1229 Lincoln Street,
Denver, Colorado 80204

3. The subject property is classified as office property.

4. The County Assessor originally assigned the following actual value on the subject property for the tax year 2008.

Land	\$	7,558,100.00
Improvements	\$	<u>27,439,700.00</u>
Total	\$	34,997,800.00

5. After appeal to the Board of Equalization of the City and County of Denver, the Board of Equalization of the City and County of Denver valued the subject property as follows.

Land	\$	7,558,100.00
Improvements	\$	<u>27,439,700.00</u>
Total	\$	34,997,800.00

6. After further review and negotiation, the Petitioner and Board of Equalization of the City and County of Denver agree to the following actual value for the subject property for tax year 2008.

Land	\$	7,558,100.00
Improvements	\$	<u>26,538,600.00</u>
Total	\$	34,096,700.00

* Please see Attachment A for Breakdown.

7. The valuations, as established above, shall be binding only with respect to tax year 2008.

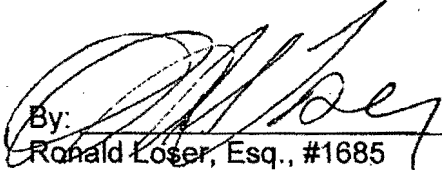
8. Brief narrative as to why the reduction was made:

The office building was accorded a further allowance for the large amount of vacancy existing on the appraisal date.


DATED this 12th day of May, 2011.

Agent/Attorney/Petitioner

Board of Equalization of the City and
County of Denver

By: 

Ronald Loser, Esq., #1685
Robinson, Waters & O'Dorisio PC
1099 18th Street, Suite 2600
Denver, CO 80202-1926
Telephone: 303-297-2600

By: 

Michelle Bush #38443
201 W. Colfax Ave., Dept. 1207
Denver, CO 80202
Telephone: 720-913-3275
Fax: 720-913-3180
Docket No. 50836

The stipulated value is distributed among the six parcels as follows:

	Land	Imps	Total
05033-10-008-000	\$1,500,000	\$ 43,200	\$ 1,543,200
05033-10-009-000	\$ 750,000	\$ 20,000	\$ 770,000
05033-10-010-000	\$ 562,500	\$ 0	\$ 562,500
05033-10-011-000	\$ 375,000	\$ 0	\$ 375,000
05033-10-040-000	\$1,976,600	\$ 1,000	\$ 1,977,600
05033-10-041-000	<u>\$2,394,000</u>	<u>\$26,474,400</u>	<u>\$28,868,400</u>
Total	\$7,558,100	\$26,538,600	\$34,096,700

Attachment A