

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 51753</b>
Petitioner: <b>GERALD HEAL AND BETTY BARKMAN,</b>  v.  Respondent: <b>MONTROSE 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.: R0004279**  
  
**Category: Valuation      Property Type: Vacant Land**
2. Petitioner is protesting the 2009 actual value of the subject property.
3. The parties agreed that the 2009 actual value of the subject property should be reduced to:  
  

**Total Value:            \$10,350**  
 (Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2009 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 23rd day of December 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

*Melissa Nord*

Melissa Nord

**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: 51753  
Single County Schedule Number: R0004279

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STIPULATION (As to Abatement/Refund for Tax Year 2009 )

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Betty J Barkman & Gerald E Heal,

Petitioner,

vs.

Montrose COUNTY BOARD OF COMMISSIONERS,

Respondent.

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Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2009 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

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

1. The property subject to this stipulation is described as:

2.96 acre tract.

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2. The subject property is classified as Agricultural (what type of property).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2009 :

Land	\$	<u>90,000</u>	.00
Improvements	\$	<u>8,710</u>	.00
Total	\$	<u>98,710</u>	.00

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

Land	\$	<u>90,000</u>	.00
Improvements	\$	<u>8,710</u>	.00
Total	\$	<u>98,710</u>	.00

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5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year 2009 actual value for the subject property:

Land	\$	<u>1,640</u>	.00
Improvements	\$	<u>8,710</u>	.00
Total	\$	<u>10,350</u>	.00

6. The valuation, as established above, shall be binding only with respect to tax year 2009.

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

Reclassification from vacant land to agricultural land for tax year 2009, based on 2008 BAA hearing order (Docket # 50522).

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8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on not yet scheduled (date) at N/A (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 30 day of November, 2009.

Harold E. Neal  
Petitioner(s) or Agent or Attorney

Address:  
1020 County Road 317  
Crested Butte, CO 81224

Telephone: 970-349-7471

Robert J. Hill  
County Attorney for Respondent,  
Board of Commissioners

Address:  
161 S Townsend Ave  
Montrose, CO 81401

Telephone: 970-249-9424

[Signature]  
County Assessor

Address:  
P.O. Box 1186  
Montrose, CO 81402

Telephone: 970-249-3753

Docket Number 51753

**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

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**STIPULATION SUBMISSION**

**SCHEDULE NO. R0004279**

**DOCKET NOS. 51753, 51548**

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Petitioners:  
**BETTY BARKMAN AND JERRY HEAL**

**Tax Years: 2009, 2007**

**V.**

Respondent:  
**MONTROSE COUNTY BOARD OF EQUALIZATION**

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**The Petitioners** respectfully submit to the Board of Assessment Appeals a stipulation agreement for tax year 2009, Docket # 51753 and tax year 2007, Docket # 51548.

1. Docket # 51548 is an abatement appeal for tax years 2006 and 2007. The enclosed stipulation agreement only covers the 2007 tax year.
2. On December 12, 2009, the Petitioners received an abatement check for 2007 (copy enclosed).
3. The Petitioners are not conceding any rights to further appeal on the issues that remain unsettled for 2006.
4. The Petitioners look forward to a hearing and a ruling by the Board on the due process issues of the 2006 tax year.
5. Please note that the Petitioners are unable to travel to Denver on Mondays or Fridays for the appeal going forward. Please accept our apology for any inconvenience this may cause to the Board or the Respondents.

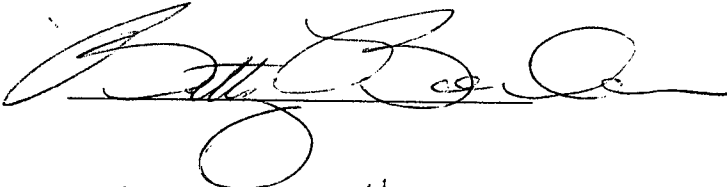
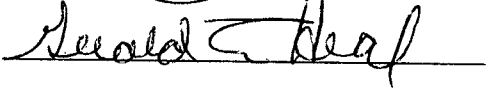
THEREFORE, the Petitioners respectfully request that this Board consider the enclosed stipulation agreements for tax years 2009 and for 2007.

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RESPECTFULLY, submitted this 18<sup>th</sup> day of December, 2009.

PETITIONERS:

Betty Barkman and Jerry Heal  
1020 County Road 317  
Crested Butte, CO 81224  
(970) 349-7471

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on December 18, 2009 a true and correct copy of the foregoing Stipulation Submissions were provided to each of the following by U.S. mail, postage prepaid.

Bob Hill  
County Attorney  
161 South Townsend Avenue  
Montrose, CO 81401

Brad Hughes, Assessor  
Montrose County Colorado  
320 South 1<sup>st</sup> Street  
Montrose, CO 81401

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Betty Barkman