

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 51984
Petitioner: 26 GARDEN CENTER LLC, v. Respondent: BROOMFIELD COUNTY BOARD OF EQUALIZATION.	
ORDER ON STIPULATION	

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.: R1016167

Category: Valuation Property Type: Commercial Real
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: \$450,000
 (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 Broomfield County Assessor is directed to change his/her records accordingly.

DATED AND MAILED this 28th day of January 2010.



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 51984

STIPULATION (As To Tax Year 2009 Actual Value)

2010 JAN 26 PM 1:25

26 GARDEN CENTER LLC,

Petitioner,

v.

BROOMFIELD COUNTY BOARD OF EQUALIZATION,

Respondent.

THE PARTIES TO THIS ACTION entered into a 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. A conference call with Petitioner and Respondent has resulted in the following agreement:

Subject property is classified as Commercial Real property and described as follows: 26 Garden Center, Broomfield, Colorado; a/k/a Broomfield Heights Filing No. 2 and Replat Block 40 Lot 16; County Schedule Number R1016167.

A brief narrative as to why the reduction was made: Income evidence supports a reduction to actual value.

The Parties have agreed that the 2009 actual value of the subject property should be reduced as follows:

ORIGINAL VALUE		NEW VALUE (TY 2009)	
Land	\$ 156,000	Land	\$ 156,000
Improvements	\$ 502,440	Improvements	\$ 294,000
Personal	\$	Personal	\$
Total	\$ 658,440	Total	\$ 450,000

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

Both Parties agree that the hearing before the Board of Assessment Appeals scheduled for February 9, 2010, at 8:30 a.m. be vacated.

DATED this 26th day of January, 2010.

William A. McLain
Petitioner Representative/Attorney
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Roswell, LLC
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303-987-7140

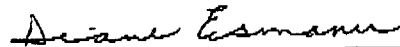
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John Storb
John Storb
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing STIPULATION (As to Tax Year 2009 Actual Value) was faxed and sent via U.S. Postal Service, Regular Mail, prepaid, this 26th day of January, 2010, addressed to the following:

Board of Assessment Appeals
Room 315
1313 Sherman Street
Denver, CO 80203
Fax: 303-866-4485


Diane Eismann

Schedule No. R1016167
BAA Docket No. 51984
Petitioner: 26 Garden Center LLC