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| <b>BOARD OF ASSESSMENT APPEALS,<br/>STATE OF COLORADO</b><br>1313 Sherman Street, Room 315<br>Denver, Colorado 80203      | <b>Docket Number: 54037</b> |
| Petitioner:<br><b>TOMA WEST MANAGEMENT CORP.,</b><br><br>v.<br>Respondent:<br><b>DENVER 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.: 02345-27-011-000**  
**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:            \$27,250,000**  
(Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2010 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 25th day of March 2011.

**BOARD OF ASSESSMENT APPEALS**

*Diane M. DeVries*

\_\_\_\_\_  
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*

\_\_\_\_\_  
Cara McKeller

*Debra A. Baumbach*

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Debra A. Baumbach



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| <b>BOARD OF ASSESSMENT APPEALS</b><br><b>STATE OF COLORADO</b><br>1313 Sherman Street, Room 315<br>Denver, Colorado 80203   |                  |
| Petitioner:<br><br><b>TOMA WEST MANAGEMENT CORP.</b>  |                  |
| v.  | Docket Number:   |
| Respondent:   | 54037            |
| <b>BOARD OF EQUALIZATION OF THE CITY AND<br/>COUNTY OF DENVER</b>   | Schedule Number: |
| Attorneys for Board of Equalization of the City and County<br>of Denver   | 02345-27-011-000 |
| City Attorney   |                  |
| <br>Michelle Bush #38443<br>Assistant City Attorney<br>201 West Colfax Avenue, Dept. 1207<br>Denver, Colorado 80202<br>Telephone: 720-913-3275<br>Facsimile: 720-913-3180 |                  |
| <b>STIPULATION (AS TO TAX YEAR 2009 ACTUAL VALUE)</b>   |                  |

Petitioner, TOMA WEST MANAGEMENT CORP., and Respondent, BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER, hereby enters 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.

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

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

700-718 17<sup>th</sup> St.  
Denver, Colorado 80202

2. The subject property is classified as commercial real property.

3. The County Assessor originally assigned the following actual value on the subject property for tax year 2010.

|              |                         |
|--------------|-------------------------|
| Land         | \$ 2,605,200.00         |
| Improvements | \$ <u>25,770,000.00</u> |
| Total        | \$ 28,375,200.00        |

4. 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         | \$ 2,605,200.00         |
| Improvements | \$ <u>25,770,000.00</u> |
| Total        | \$ 28,375,200.00        |

5. 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 2010.

|              |                         |
|--------------|-------------------------|
| Land         | \$ 2,605,200.00         |
| Improvements | \$ <u>24,644,800.00</u> |
| Total        | \$ 27,250,000.00        |

6. The valuations, as established above, shall be binding only with respect to tax year ~~2010~~ *2009. see*

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

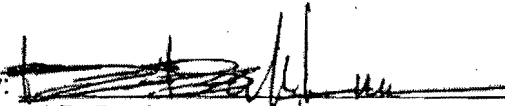
The value was adjusted after review of actual income and expense levels.

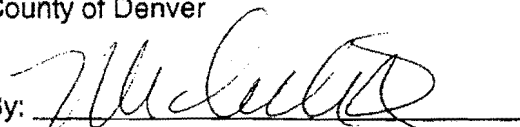
8. Both parties agree to be responsible for their own costs, expert and attorney fees, waiving any claim against each other for such, and agree that any hearing before the Board of Assessment Appeals not be scheduled or be vacated if already scheduled.

DATED this 18<sup>th</sup> day of March, 2011.

Agent/Attorney/Petitioner

Board of Equalization of the City and  
County of Denver

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