

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 54497</b>
Petitioner: <b>MICHAEL HERRERA ,</b>  v. Respondent: <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.: 02342-26-036-000**

**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:            \$314,900**

(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 Denver County Assessor is directed to change his/her records accordingly.

**DATED AND MAILED** this 14th day of March 2011.

**BOARD OF ASSESSMENT APPEALS**

*Diane M. DeVries*

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Diane M. DeVries

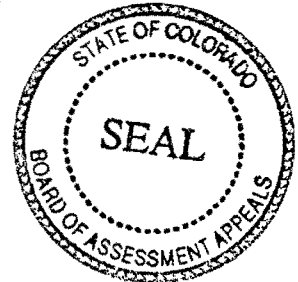
*Debra A. Baumbach*

\_\_\_\_\_  
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



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<b>BOARD OF ASSESSMENT APPEALS</b> <b>STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner:  <b>MICHAEL HERRERA</b>	
v.	Docket Number:
Respondent:	54497
<b>BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER</b>	Schedule Number:
Attorneys for Board of Equalization of the City and County of Denver	02342-26-036-000
City Attorney	
Michelle Bush #38443 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 2009 ACTUAL VALUE)</b>	

Petitioner, MICHAEL W HERRERA, and Respondent, BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER, 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.

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

1. The property subject to this Stipulation is described as:  
  
2225-2229 Stout Street  
Denver, Colorado

2. The subject property is classified as both commercial and residential real property. See the attached commercial/residential breakdown worksheet.

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

Land	\$	408,100.00
Improvements	\$	<u>39,600.00</u>
Total	\$	447,700.00

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	\$	408,100.00
Improvements	\$	<u>39,600.00</u>
Total	\$	447,700.00

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 2009.

Land	\$	313,900.00
Improvements	\$	<u>1,000.00</u>
Total	\$	314,900.00

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

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

Based on further review and an interior field inspection, an adjustment was warranted.

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 10 day of MARCH, 2011.

Agent/Attorney/Petitioner

By: 

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Consultus Asset Valuation  
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Telephone: (303) 770-2420

Board of Equalization of the City and  
County of Denver

By: 

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Telephone: 720-913-3275  
Fax: 720-913-3180  
Docket No: 54497

ATTACHMENT TO 2009 BAA #54497 & 2010 BAA #55806

			TOTAL		
Old Land:	\$408,100	New Land:	\$313,900	Chg. Land:	-\$94,200
Old Imps:	<u>\$39,600</u>	New Imps:	<u>\$1,000</u>	Chg. Imps:	<u>-\$38,600</u>
Total:	\$447,700	Total:	\$314,900	Total:	-\$132,800

			Commercial/Industrial - 29%		
Old Land:	\$69,400	New Land:	\$53,300	Chg. Land:	-\$16,100
Old Imps:	<u>\$38,600</u>	New Imps:	<u>\$500</u>	Chg. Imps:	<u>-\$38,100</u>
Total:	\$108,000	Total:	\$53,800	Total:	-\$54,200

			Residential/Apartment - 7.96%		
Old Land:	\$338,700	New Land:	\$260,600	Chg. Land:	-\$78,100
Old Imps:	<u>\$1,000</u>	New Imps:	<u>\$500</u>	Chg. Imps:	<u>-\$500</u>
Total:	\$339,700	Total:	\$261,100	Total:	-\$78,600

Tax Calculation:		2009		2010	
Total Assessed Value:		\$36,390		\$36,410	
Mill Levy		x <u>65.139 (per \$1000)</u>		x <u>66.591 (per \$1000)</u>	
		\$2,370.41		\$2,424.58	

Attachment #1