

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 57610</b>
Petitioner: <b>STAPLETON COLFAX LLC,</b>  v.  Respondent: <b>DENVER COUNTY BOARD OF COMMISSIONERS.</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.: 02336-17-025-025**  
  
**Category: Abatement      Property Type: Residential**
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:            \$785,200**  
 (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 3rd day of January 2012.

**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.

*Debra A. Baumbach*

\_\_\_\_\_  
Debra A. Baumbach

*CML*  
\_\_\_\_\_  
Cara McKeller



<b>BOARD OF ASSESSMENT APPEALS</b> <b>STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	2011 FEB 29 PM 1:07
Petitioner:  <b>STAPLETON COLFAX, LLC</b>  v.  Respondent:  <b>BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER</b>	Docket Number:  57610  Schedule Number:  0236-17-025-025
Attorneys for the Board of Equalization of the City and County of Denver  Max Taylor, #35403 Assistant City Attorney City & County of Denver, Airport Legal Services 8500 Pena Blvd., #9810 Denver, CO 80249-6340 Phone: (303) 342-2564 Fax: (303) 342-2552 Email: <a href="mailto:max.taylor@flydenver.com">max.taylor@flydenver.com</a>	
<b>AMENDED STIPULATION AS TO TAX YEAR 2009</b>	

Petitioner(s), STAPLETON COLFAX, LLC, and Respondent, BOARD OF EQUALIZATION OF THE CITY AND COUNTY OF DENVER, hereby enter into this Amended Stipulation regarding the tax year 2009 valuation of the personal 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 to this Stipulation is described as:  
  
435 W. Colfax Avenue, Unit 300  
Denver, Colorado
2. The subject property is classified as residential property.

3. The County Assessor assigned, and the Petitioner agrees, that the actual value for the subject property for tax year 2009, should be as follows:

Land	\$106,400.00
Improvements	\$678,800.00
Total	\$785,200.00

4. The Petitioner and the Board of Equalization of the City and County of Denver agree on the following:

(i) The value assigned to the subject property for 2009 is \$785, 200.00.

(ii) The amount of property taxes for the subject property for the tax year 2009 is \$4,071.19.

(iii) The Petitioner erroneously paid \$23,001.88 for 2009 property taxes, in reliance on a property tax statement issued by the City and County of Denver to the Petitioner.

(iii) The City and County of Denver shall issue a refund to the Petitioner for overpayment of 2009 property taxes in the amount of \$18,930.69, plus interest thereon from the date of such tax payment by the Petitioner to the date hereof.

5. This Stipulation shall be binding only with respect to tax year 2009.

6. This Stipulation supersedes the Stipulation signed on October 11, 2011.

7. 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 schedule or be vacated if already scheduled.

DATED this 28<sup>th</sup> day of December, 2011.

Petitioner: Stapleton Colfax, LLC

By: 

Neil B. Oberfeld, #16992  
Nickolas J. McGrath, #39173  
Greenberg Traurig, LLP  
1200 17<sup>th</sup> St., Ste 2400  
Denver, CO 80202  
Telephone: 303-572-6500

Denver County Board of Commissioner

By: 

Max Taylor, #35403  
City & County of Denver, Airport Legal  
Services  
8500 Pena Blvd., #9810  
Denver, CO 80249-6340  
Phone: (303) 342-2564