

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 57661
Petitioner: WILLIAM WENZEL , v. Respondent: SAN MIGUEL COUNTY BOARD OF COMMISSIONERS.	
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.: R1010087720

Category: Abatement Property Type: Commercial Real
2. Petitioner is protesting the 2008 actual value of the subject property.
3. The parties agreed that the 2008 actual value of the subject property should be reduced to:

Total Value: \$553,964

(Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2008 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 22nd day of December 2011.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

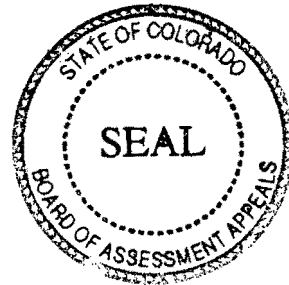
Debra A. Baumbach

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



30 ASSESSMENT APPEALS

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BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO

Received by San Miguel County
Attorney's Office

OCT 18 2011
Jeff 2:31 PM

Docket Number: 57661
Single County Schedule Number: R1010087720

STIPULATION (As to Abatement/Refund for Tax Year 2008)

William Wenzel,

Petitioner,

vs.

San Miguel COUNTY BOARD OF COMMISSIONERS,

Respondent.

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2008 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:

Unit 2B and P6, P10 and P11 Elks Building Condo
300 W Colorado Avenue, Telluride CO 81435

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

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2008:

Land	\$	<u>0.00</u>
Improvements	\$	<u>662,226.00</u>
Total	\$	<u>662,226.00</u>

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

Land	\$	<u>0.00</u>
Improvements	\$	<u>662,226.00</u>
Total	\$	<u>662,226.00</u>

RWB

5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year 2008 actual value for the subject property:

Land	\$	<u>0</u>	.00
Improvements	\$	<u>553,964</u>	.00
Total	\$	<u>553,964</u>	.00

6. The valuation, as established above, shall be binding only with respect to tax year 2008.

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

The agent provided some evidence of rental income on the property which supported a level of value which fell in the lower end of the range of comparable sales as determined by the assessor. The settlement was agreed upon to avoid further litigation and risk on the part of the county.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on 10/28/2011 (date) at 8:30am (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 13 day of October, 2011.

Raymond V. Bowers
Petitioner(s) or Agent or Attorney

[Signature]
County Attorney for Respondent,
Board of Commissioners

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Peggy Kanter
County Assessor

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