

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 58935
Petitioner: WATERBURY ORCHARDS LLC, v. Respondent: LARIMER 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.: R0649783+7

Category: Valuation Property Type: Commercial Real
2. Petitioner is protesting the 2011 actual value of the subject property.
3. The parties agreed that the 2011 actual value of the subject property should be reduced to:

Total Value: \$13,750,000

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

ORDER:

Respondent is ordered to reduce the 2011 actual value of the subject property, as set forth above.

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

DATED AND MAILED this 9th day of January 2012.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

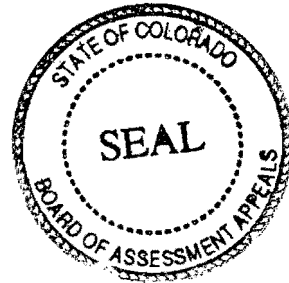
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

Debra A. Baumbach

Debra A. Baumbach

Cara McKeller

Cara McKeller



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS
2012 JAN -6 AM 8:36

Docket Number(s): 58935
County Schedule Number : R0649783+7

STIPULATION (As To Tax Year 2011 Actual Value)

WATERBURY ORCHARDS LLC

vs.

LARIMER COUNTY BOARD OF EQUALIZATION,

Respondent

Petitioner(s) and Respondent hereby enter into this stipulation regarding the 2011 tax year valuation of the subject property. Petitioner(s) and Respondent 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: "Orchards Shopping Center" which consists of eight separate parcels located on the Northeast corner West 29th Street and North Garfield in Loveland Colorado.
2. The subject property is classified as Commercial property.
3. The County Assessor originally assigned the following actual value to the subject property:

Land	\$	\$1,005,000
Improvements	\$	\$13,644,000
Total	\$	\$14,649,000

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

Land	\$	\$1,005,000
Improvements	\$	\$13,644,000
Total	\$	\$14,649,000

5. After further review and negotiation, the Petitioner(s) and County Board of Equalization agree to the following actual value for tax year 2011.

Land	\$	\$1,005,000
Improvements	\$	\$12,745,000
Total	\$	\$13,750,000

6. The valuations, as established above, shall be binding only with respect to tax year 2011.
7. Brief narrative as to why the reduction was made: After review of the cost, market and income approaches to value, along with owner supplied actual 2008, 2009 and 2010 income and expense documents, a decrease in value to \$13,750,000 is justified.
8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on February 2, 2012 be vacated.

DATED this 23rd day of December 2011

M Van Donselaar

Michael Van Donselaar, AGENT

Address:

Duff & Phelps LLC
950 17th Street
Suite 2000
Denver, CO 80227

Tom Donnelly

*TOM DONNELLY, CHAIR OF THE
LARIMER COUNTY BOARD OF EQUALIZATION*

Address:

LARIMER COUNTY ATTORNEY
224 Canyon Avenue Suite 200
Post Office Box 1606
Fort Collins, Colorado 80522
Telephone: (970)498-7450

Steve Miller

*STEVE MILLER
LARIMER COUNTY ASSESSOR*

Address:

Post Office Box 1190
Fort Collins, Colorado 80522
Telephone: (970)498-7050