

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	<b>Docket Number: 62569</b>
Petitioner: <b>DIAMONDROCK VAIL OWNER LLC,</b>  v. Respondent: <b>EAGLE 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.: R009007+2**

**Category: Valuation      Property Type: Commercial Real**
2. Petitioner is protesting the 2013 actual value of the subject property.
3. The parties agreed that the 2013 actual value of the subject property should be reduced to:  

**Total Value:            \$62,262,270**

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

**ORDER:**

Respondent is ordered to reduce the 2013 actual value of the subject property, as set forth above.

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

**DATED AND MAILED** this 10th day of June 2014.

**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



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BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO

Docket Number: 62569

Multiple County Schedule Numbers: R009007, R057133, R064595

STIPULATION (As to Tax Year 2013 Actual Value)

**DIAMOND ROCK VAIL OWNER LLC**

Petitioner,

vs.

**EAGLE COUNTY BOARD OF COUNTY COMMISSIONERS,**

Respondent.

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Petitioner and Respondent (collectively, the "Parties") hereby enter into this Stipulation regarding the tax year 2013 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

The Parties agree and stipulate as follows:

1. The property subject to this stipulation is identified by the three schedule number identified above and generally described as:

The Vail Marriott Mountain Resort  
West Lionshead Circle, Vail CO 81657

2. The subject property is classified as **Commercial**.

3. Attachment "A" reflects the actual values of the subject parcels, as assigned by the Assessor for tax year 2013.

4. Attachment "B" reflects the actual values of the subject parcels, as determined by the Board of Equalization.

5. Attachment "C" reflects the actual values of the subject parcels, as agreed upon between Petitioner and Respondent.

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

The stipulated value was agreed upon between Petitioner and Eagle County for settlement purposes during pre-hearing discussions.

7. The Parties expressly agree that the settled valuation established herein was  
(00324058:)

accepted by the Parties for settlement purposes only for tax years 2013 and 2014, that they have resolved all disputes giving rise to the tax appeal.

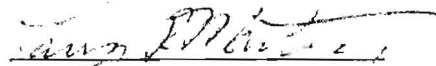
8. Due to timing considerations associated with the finalization of this settlement, Petitioner filed an Objection and Protest ("Protest") of the 2014 valuation of the subject properties. Upon receipt of an Order for the approval of this Stipulation by the BAA, Petitioner will file and serve its withdrawal of the said Protest.

9. The Parties further stipulate and agree that this Agreement does not constitute an admission of liability; that it does not constitute any factual or legal precedent whatsoever; and that it may not be used as evidence in any subsequent proceeding of any kind, except in an action alleging breach of this stipulation agreement.

10. A hearing has been scheduled before the Board of Assessment Appeals for June 10, 2014 and should be vacated upon the Board's acceptance of this Stipulation Agreement.

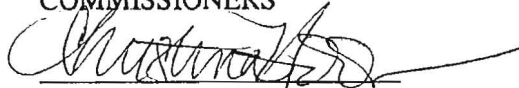
Dated this 7<sup>th</sup> day of June, 2014.

DIAMOND ROCK VAIL OWNER LLC



Larry R. Martinez, #5831  
Berenbaum Weinshienk, PC  
370 17th Street, Suite 4800  
Denver, CO 80202-5698

EAGLE COUNTY BOARD OF COUNTY  
COMMISSIONERS



Christina Hooper, #38271  
Assistant County Attorney  
500 Broadway  
P.O. Box 850  
Eagle, CO 81631

**MARRIOTT-VAIL  
2013 BAA STIPULATION (ASSESSOR)  
ATTACHMENT A**

<b>Acct No</b>	<b>2013 Land</b>	<b>2013 Improvement</b>	<b>2013 Total</b>
R009007	\$2,436,590	\$17,467,800	\$19,904,390
R057133	\$10,015,940	\$46,419,830	\$56,435,770
R064595	\$365,750	\$8,002,370	\$8,368,120
<b>Total</b>	<b>\$12,818,280</b>	<b>\$71,890,000</b>	<b>\$84,708,280</b>

**MARRIOTT-VAIL  
2013 BAA STIPULATION (CBOE)  
ATTACHMENT B**

<b>Acct No</b>	<b>2013 Land</b>	<b>2013 Improvement</b>	<b>2013 Total</b>
R009007	\$2,436,590	\$17,467,800	\$19,904,390
R057133	\$10,015,940	\$46,419,830	\$56,435,770
R064595	\$365,750	\$8,002,370	\$8,368,120
<b>Total</b>	<b>\$12,818,280</b>	<b>\$71,890,000</b>	<b>\$84,708,280</b>

MARRIOTT-VAIL  
2013 BAA STIPULATION  
ATTACHMENT C

<u>Acct No</u>	<u>2013 Land</u>	<u>2013 Improvement</u>	<u>2013 Total</u>
R009007	\$2,436,590	\$12,193,530	\$14,630,120
R057133	\$10,015,940	\$31,465,470	\$41,481,410
R064595	\$365,750	\$5,784,990	\$6,150,740
<b>Total</b>	<b>\$12,818,280</b>	<b>\$49,443,990</b>	<b>\$62,262,270</b>