

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>CHANEY 2012 FAMILY TRUST</b></p> <p>v.</p> <p>Respondent:</p> <p><b>ROUTT BOARD OF COUNTY EQUALIZATION</b></p>	<p><b>Docket No.: 68955</b></p>
<p><b>FINAL AGENCY ORDER ON STIPULATION</b></p>	

**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 Final Agency Order on Stipulation.

1. Subject property is described as follows:

County Schedule No.:	R6201496
Appeal Category:	CLASSIFICATION
Current Classification:	VACANT LAND
  
2. Petitioner appealed the 2013-2015 classification of the subject property.
  
3. The parties agreed to dismiss this appeal with prejudice.  
  
(Reference the attached Stipulation).
  
4. The Board approves the parties' Stipulation and orders the dismissal of this case.

**DATED** this 16<sup>th</sup> day of November, 2020

**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.

*Sondra W. Mercier*

\_\_\_\_\_  
Sondra W. Mercier

*Martha Hernandez Sanchez*  
\_\_\_\_\_  
Martha Hernandez Sanchez



<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, CO 80203</p>	
<p><b>Petitioner:</b></p> <p><b>CHANEY 2012 FAMILY TRUST</b></p> <p><b>Respondents:</b></p> <p><b>ROUTT COUNTY BOARD OF EQUALIZATION and ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS</b></p>	<p>Docket Nos. 68955 and 69052</p>
<p><i>Attorney for Petitioner:</i> F. Brittin Clayton III, #15940 JONES &amp; KELLER, A PROFESSIONAL CORPORATION 1999 Broadway, Suite 3150 Denver, Colorado 80202 Telephone: 303-785-1689 E-mail: bclayton@joneskeller.com</p> <p><i>Attorney for Respondents:</i> Routt County Attorney: Lynaia South, Reg. # 35291 Assistant Routt County Attorney 522 Lincoln Avenue, Suite 34 Steamboat Springs, CO 80487 970-870-5350 E-mail: lsouth@co.routt.co.us</p>	
<p style="text-align: center;"><b>STIPULATION FOR DISMISSAL</b></p>	

Petitioner and Respondents, through their respective undersigned counsel, hereby file this Stipulation for Dismissal as follows:


1. The Subject Property is described as Routt County Schedule No. R6201496 - Lot 43, Dakota Ridge Subdivision.
2. The Subject Property is currently classified as Vacant.

3. The value of the Subject Property is not at issue.
4. Petitioner appealed the decision of the Board of Assessment Appeals to the Court of Appeals.
5. This case was stayed with the Court of Appeals pending the outcome of *Summit County Board of County Commissioners v. Hogan*, 18SC544. On February 18, 2020, the Colorado Supreme Court issued its decision which clarified the statutory term “used as a unit” when classifying property as vacant land or residential.
6. Based on application of the Supreme Court’s decision, Petitioner and Respondent reached a settlement concerning the change in classification of the Subject Property that is embodied in a separate agreement.
7. On June 9, 2020, the Colorado Court of Appeals issued an order in *Chaney v. Routt County Board of Equalization, et al.*, 17CA2402, granting the parties’ Unopposed Motion to Dismiss With Prejudice.
8. The dismissal of this appeal shall not be construed as an affirmance of the Board of Assessment Appeal’s Order that is the subject of this appeal.

This Stipulation for Dismissal fully resolves all issues in this case.

SO STIPULATED this 14th day of July, 2020.


JONES & KELLER

By:  \_\_\_\_\_  
Attorney for Petitioner,  
Chaney 2012 Family Trust

ROUTT COUNTY ATTORNEY

By: Lynsia South 7/14/2020 \_\_\_\_\_  
Attorney for Respondents, Routt County Board of  
Equalization and Routt County Board of County  
Commissioners

ROUTT COUNTY ASSESSOR

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Gary Peterson