

<p>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p>KENNETH & NANCY POTTORFF</p> <p>v.</p> <p>Respondent:</p> <p>LARIMER BOARD OF EQUALIZATION</p>	<p>Docket No.: 69915</p>
<p align="center">ORDER ON STIPULATION</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 Order on Stipulation.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

County Schedule Nos.:	86254-05-335
Appeal Category:	ABATEMENT
Current Classification:	VACANT LAND

2. Petitioner is protesting the 14 -15 classification of the subject property.

3. The parties agreed that the 14 -15 classification of the subject property should be as follows:

Classification:	RESIDENTIAL
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(Reference the attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to change the 14 -15 classification of the subject property as set forth above.

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

DATED this 13th 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



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number(s): 69915
County Schedule Number : R1638668

STIPULATION (As To Tax Years 2014 & 2015 Actual Value)

Kenneth & Nancy Pottorff

vs.

LARIMER COUNTY BOARD OF EQUALIZATION,
Respondent

Petitioner(s) and Respondent hereby enter into this stipulation regarding the 2014 & 2015 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:
Legal: LOT 335, HIGHPOINTE, WIN (20050092192)
2. The subject property is classified as a Vacant Land property.
3. The County Assessor assigned the following actual value to the subject property on the 2014 Notice of Determination:

Land	\$	32,500
Improvements	\$	0
Total	\$	<u>32,500</u>

4. The County Assessor assigned the following actual value to the subject property on the 2015 Notice of Determination:

Land	\$	67,500
Improvements	\$	0
Total	\$	<u>67,500</u>

5. After a timely appeal to the Board of Equalization, the Board of Equalization valued the subject property for 2014 as follows:

Land	\$	32,500
Improvements	\$	0
Total	\$	<u>32,500</u>

6. After a timely appeal to the Board of Equalization, the Board of Equalization valued the subject property for 2015 as follows:

Land	\$	67,500
Improvements	\$	0
Total	\$	<u>67,500</u>

7. After further review and negotiation, the Petitioner(s) and County Board of Equalization agree to the following actual value for the subject property for tax year 2014.

Land	\$	32,500
Improvements	\$	0
Total	\$	<u>32,500</u>

8. After further review and negotiation, the Petitioner(s) and County Board of Equalization agree to the following actual value for the subject property for tax year 2015.

Land	\$	67,500
Improvements	\$	0
Total	\$	<u>67,500</u>

9. The valuation, as established above, shall be binding only with respect to tax years 2014 & 2015.

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

The value of the parcel has not be contested. The petitioner requested that the parcel be reclassified to vacant land at the residential assessment rate. The case was held in abeyance pending the Supreme Court cases *Nos. 18SC434, Mook v. Bd. of Cty. Comm'rs; 18SC499, Bd. of Assessment Appeals v. Kelly; 18SC544, Bd. of Cty. Comm'rs v. Hogan*.

Based on a review of the property and the Supreme Court opinions, it was determined: the property is contiguous to residential land parcel 86254-05-334; is being used as a unit with residential parcel 86254-05-334; and the parcels are under common ownership. Therefore, the property has been reclassified as vacant land at the residential assessment rate.

11. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on not scheduled be vacated.

DATED this 14th day of August 2020.



Petitioner(s) Representative

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